

# OSHA Injury and Illness Recordkeeping: Q & A

## QUESTION

I have completed the OSHA 300 and 300A forms. Where do I send that information?

## ANSWER

You are not required to send your completed forms to OSHA. You must retain the forms at your establishment for 5 years after the reference year of the records.

## SOURCE

OSHA e-correspondence

## QUESTION

An employee who was injured in 2001 had days away from work and restricted work that ran over into 2002. Do I record his days away from work in 2002 onto the 2002 log or do I go back and record it on the 2001 log when the accident actually occurred?

## ANSWER

You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury occurred. If the employee is still away from work because of the injury when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

## SOURCE

OSHA e-correspondence

## QUESTION

Where can I find the OSHA 300 Form?

## ANSWER

You can find the recordkeeping forms at <http://www.osha.gov/recordkeeping/RKforms.html>

## SOURCE

OSHA e-correspondence

## QUESTION

I have heard there is an injury and illness recordkeeping regulation. Does an employer that has 3 employees have to comply with this regulation?

## ANSWER

Employers that had no more than 10 employees at any time during the previous year are not required to keep injury and illness records under Part 1904. All employers are required to report workplace fatalities or catastrophes involving three or more hospitalized employees to OSHA. Employers are also required to maintain the recordkeeping forms if they are notified in writing by OSHA or the BLS to do so.

## SOURCE

OSHA e-correspondence

## QUESTION

Where is the best place to find the SIC code(s) for my company?

## ANSWER

You may search for SIC at <http://www.osha.gov/pls/imis/sicsearch.html>

## SOURCE

OSHA e-correspondence

**QUESTION**

What is OSHA's stand on an injury that occurs at work as a result of an employee being under the influence of illegal substances?

**ANSWER**

Being under the influence of an illegal substance is not a factor when determining recordability for OSHA recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is there an Adobe PDF fillable OSHA FORM 300?

**ANSWER**

Yes. Please see the following URL: <http://www.osha.gov/recordkeeping/RKforms.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have a zero tolerance policy for drug use and any employee testing positive for drugs from random or post accident or reasonable cause is grounds for immediate dismissal. If we have an employee injured on the job that results in days away and they test positive for drugs at the time of the accident do we need to report this as a lost time on the 300 log if they are terminated for using an illegal substance?

**ANSWER**

Yes. You must estimate the number of days that the employee would have been away from work due to the injury and enter that number on the 300 Log. The drug test and subsequent termination are related to the injury and cannot be used to stop the day count.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I record an injury if a physician or other licensed health care professional recommends a job restriction meeting OSHA's definition, AND the employer has temporary alternate work available, but the employee chooses not to come to work?

**ANSWER**

In this situation, you must record the case as a case involving restricted work activity and enter the count of days recommended by the physician or other licensed health care professional.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is "Total hours worked by all employees" on the Form 300A actual work time after leave deductions?

**ANSWER**

Yes, this figure should reflect the actual number of hours worked by employees. Include hours worked by salaried, hourly, part-time and seasonal workers, as well as hours worked by other workers subject to day to day supervision by your establishment (e.g., temporary help services workers). Do not include vacation, sick leave, holidays, or any other non-work time, even if employees were paid for it. If your establishment keeps records of only the hours paid or if you have employees who are not paid by the hour, please estimate the hours that the employees actually worked.

**SOURCE**

OSHA e-correspondence

<b>QUESTION</b>
If I have an employee had lacerations to his hand requiring stitches, would that be an "other" recordable case?
<b>ANSWER</b>
Yes. A work related injury requiring stitches must be recorded on the OSHA 300 Log. If the injury did not involve one or more days away from work, one or more days of restricted work, or one or more days of job transfer, you enter a check mark in column J.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
How long am I required to keep an OSHA 300 log?
<b>ANSWER</b>
You must save the OSHA 300 Log, the privacy case list (if one exists), the annual summary, and the OSHA 301 Incident Report forms for five (5) years following the end of the calendar year that these records cover.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
An employee was put on light duty restrictions on December 6th. On December 30th we did not have any work for her under these restrictions. The doctor's notes have her able to work under light duty. Until we are able to find work for her under her restrictions, do we need to count the days she is missing work as days away or restriction days?
<b>ANSWER</b>
You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
How do I record a case in which the employee was prescribed restricted work activity and we made it available, but the employee decides on his own, to refuse the restricted work and stays home instead?
<b>ANSWER</b>
In this situation, you count the days as days of restricted work activity as recommended by the physician or other licensed health care professional.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
If a business logs an injury on the 300 log but later finds out that the injury was not work related and was denied as Worker's Compensation, can the entry be removed from the 300 Log?
<b>ANSWER</b>
Workers' Compensation determinations do not impact OSHA recordability. The employer must evaluate the employee's work duties and the work environment to decide whether an event or exposure in the work environment either caused or contributed to the condition or significantly aggravated a pre-existing condition. If so, the case is work-related.
<b>SOURCE</b>
OSHA e-correspondence

**QUESTION**

In a case where the employee is working restricted duty, and takes days off for personal reasons, do we still include those days in our total? This employee is working modified duty through his next doctor's appointment which falls after the allotted vacation time.

**ANSWER**

Yes, in this situation you would include the vacation days taken in the day count. You must include all calendar until the date the physician or other licensed health care professional recommends that the employee return to work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is bitten on the arm by a patient and the skin is slightly broken with little bleeding present. No medical treatment (beyond first aid) was needed and the case did not involve any days away or restrictions. Is this recordable?

**ANSWER**

This case is not recordable. While there is an exposure to potentially infectious material, it was not a needlestick or sharps injury, and it did not require medical treatment beyond first aid or the other general recording criteria.

**SOURCE**

OSHA e-correspondence

**QUESTION**

What is the formula to figure DART rate?

**ANSWER**

You can compute the incidence rate for recordable cases involving days away from work, days of restricted work activity or job transfer (DART) using the following formula:  $(\text{Number of entries in column H} + \text{Number of entries in column I}) \times 200,000 / \text{Number of hours worked by all employees} = \text{DART incidence rate}$

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a worker stepped on a nail and is given a tetanus shot to treat that injury (no lost time), is this a recordable case?

**ANSWER**

No, this is not a recordable case. Tetanus immunization is included on the first aid list.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do we calculate an annual incident rate?

**ANSWER**

You can compute the incidence rate for all recordable cases of injuries and illnesses using the following formula:  $\text{Total number of injuries and illnesses} \times 200,000 / \text{Number of hours worked by all employees} = \text{Total recordable case rate}$

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had an associate sustain a contusion and minor abrasion to the right hand (no bleeding). The associate was treated with first aid by our on-site medical provider and sent back to work. Approximately 2 weeks later the associate returned to on-site medical with a swelled hand and pain. He was immediately sent to the doctor and given an antibiotic for infection. The doctor stated that the infection may have come from the associate not properly treating the abrasion. Is this now a recordable case even though it was caused by improper care which is out of our control?

**ANSWER**

Yes, this is a recordable injury because the infection resulted from the work-related abrasion. The fact that it is partially due to improper treatment is not a consideration for recordability.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If glue is used to close a wound, is it considered medical treatment or first aid?

**ANSWER**

The use of surgical glue to close a wound is considered medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee has a repetitive motion injury to the shoulder. The treating physician does not recommend any medical restrictions. However, the physician does give the employee a cortisone injection consisting of 1 cc xylocaine plain and .5 cc of depo medrol. Is this recordable?

**ANSWER**

Yes, this is a recordable case because a prescription medication was issued.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had an incident where an employee was working with a hammer and chisel and hit his hand and received a small injury. He removed his glove and saw a small cut with some blood. When he saw the blood he fainted and fell on the platform where he hit with his head on the grating. This resulted in a cut in his head which needed two stitches. The man explained that he always has this problem when he has an injury and sees his own blood. Is this recordable?

**ANSWER**

Yes, this is a recordable injury. The fainting and head laceration would not have occurred but for the work-related hand injury. The employee's loss of consciousness and resulting head injury are a direct consequence of an event in the work-environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If there was baby powder on the floor of the ladies restroom at work and someone falls onto the floor due to the baby powder is the incident considered work-related?

**ANSWER**

Yes, this case is work-related because it resulted from an event in the work environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was injured on 9/21. He went to the Urgent Care doctor, who sent him to the hospital for an MRI. The doctor required the employee to return to him the next day to interpret the results of the MRI. The MRI was good, but the employee could not get in to see the doctor until the afternoon of 9/22. By the time this doctor had released him to work, his shift had already ended. Does this count as a lost work day?

**ANSWER**

No, time missed seeking medical treatment is not counted as days away from work or days of restricted work activity if the employee is otherwise capable of performing all of his or her routine job functions.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee works for one of my establishments, but is injured at another of my establishments, the recordable goes on the log of the location where it occurred. How do I account for hours worked in these situations?

**ANSWER**

When employees work in multiple establishments of the same business, each location can count the employees' hours worked at their establishment towards their total. However, be careful not to double count the employees' hours.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee parked his vehicle in a shared parking lot prior to coming to work (not a "company parking lot"). As he exited his vehicle, he tripped and was injured. Is this injury work related?

**ANSWER**

No, this injury is not work-related. A parking area where the employer does not have control (such as a parking lot outside of a building shared by different employers, or a public parking area like those found at a mall or beneath a multi-employer office building) would not be considered part of the employer's establishment, and therefore not part of the work environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

One of my employees broke his foot and is working from home. Should his time home be consider as days away from work or restricted work activity?

**ANSWER**

The time should be counted as days-away-from-work if the employee normally works at your establishment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

For the 10 employees or less recordkeeping exemption, what is the criteria for distinguishing between an individual business establishment that is part of a larger company, and a completely unique company? If a business establishment is separately incorporated, is that adequate to demonstrate a separate and unique company?

**ANSWER**

Yes, a separately incorporated business is evaluated as a unique company when determining firm size under Part 1904.1.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is injured and is given a couple of days off by a doctor, but on that first day after seeing the doctor asks to be and is laid off, would that incident still be counted as a Days Away from Work Case?

**ANSWER**

You must record the case with at least one day away from work. If the employee leaves your company for some reason unrelated to the injury or illness you may stop counting days away from work or days of restriction/job transfer. If the employee leaves your company because of the injury or illness, you must estimate the total number of days away or days of restriction/job transfer and enter the day count on the 300 Log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do I have to submit an OSHA 300 log to a general contractor requesting it for our Company employees working on their jobsite? Is this private information?

**ANSWER**

If you decide to voluntarily disclose the Forms to persons other than government representatives, employees, former employees or authorized representatives (as required by §§ 1904.35 and 1904.40), you must remove or hide the employees' names and other personally identifying information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are sharps/needle stick incidents to be listed on the OSHA 300 Log, even though all such incidents are listed separately on the "Sharps Log"?

**ANSWER**

You must record all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (as defined by 29 CFR 1910.1030). You must enter the case on the OSHA 300 Log as an injury. You may use the 300 Log to meet the requirements of the sharps injury log provided you enter the type and brand of the device causing the sharps injury on the Log and you maintain your records in a way that segregates sharps injuries from other types of work-related injuries and illnesses, or allows sharps injuries to be easily separated.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Who is supposed to sign the form 300A after it is completed?

**ANSWER**

A company executive must certify that he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete. The company executive who certifies the log must be one of the following persons: An owner of the company (only if the company is a sole proprietorship or partnership); An officer of the corporation; The highest ranking company official working at the establishment; or The immediate supervisor of the highest ranking company official working at the establishment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are the worker's compensation first report of injury form and the OSHA Form 301 both required to be filled out, or will just the worker's compensation form be sufficient for compliance?

**ANSWER**

The worker's compensation form is sufficient if it is equivalent to the OSHA 301 form. An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many employers use an insurance form instead of the OSHA 301 Incident Report, or supplement an insurance form by adding any additional information required by OSHA.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am going to be taking over the Workman's Comp. claims in our office. Are there training manuals and forms that you can send me?

**ANSWER**

OSHA does not administer workers compensation programs. Each state runs its own program. OSHA does have injury and illness recordkeeping requirements that can be found at this link on the website  
<http://www.osha.gov/recordkeeping/index.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am in need of a fresh copy of the OSHA log. Where on the internet could I find one?

**ANSWER**

The forms can be found at <http://www.osha.gov/recordkeeping/RKforms.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have to fill out a safety performance history for our company. At the bottom of the form it asks for "EMR" history. I do not know what this is?

**ANSWER**

The Experience Modification Rate (EMR) is a rate assigned by your worker's compensation insurance carrier. Please contact your carrier for this information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has days away from work that span one year to the next (e.g. out from December through March), do you go back and update the previous year's log to reflect the total days out?

**ANSWER**

Yes. You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I work in the office at a small company. There are fewer than 10 full time employees. Do we need to do the record keeping of injuries and end of year summary?

**ANSWER**

No. If your company had ten(10) or fewer employees at all times during the last calendar year, you do not need to keep OSHA injury and illness records unless OSHA or the BLS informs you in writing that you must keep records. However, as required by 1904.39, all employers covered by the OSH Act must report to OSHA any workplace incident that results in a fatality or the hospitalization of three or more employees.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee injured his finger. After medical treatment he completed his shift. He worked for a day and further medical referral advised him to have a surgery and rest for 9 days. How do we count the lost days? Should we count the days from the day after he had the injury or from the day of further medical referral?

**ANSWER**

You may begin counting the days away from work from the time of the surgery.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have an employee who injured his back at work while lifting. The employee reported to the medical dept. which sent him home for the remainder of the work shift, but received no other treatment of any kind. The employee returned to work the next day and resumed all regular activities. Does the fact that this employee's work was restricted for part of the work shift on the day of injury only make this case recordable on the OSHA 300 log?

**ANSWER**

No, this case is not recordable. Restricted work activity begins on the day after the injury occurred or the illness began.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I understand that in classifying a case you check the most severe consequence so for a case with both days away and restricted days you would check column H. However, would you enter the number of days for both restrictions and days away or would you only enter the number of days away?

**ANSWER**

Enter both day counts. Since days away are the most severe you would check column H and enter the number of days away in column K and the number of restricted days in column L.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If recording a death do you have to put in the maximum of 180 days away from work in column K?

**ANSWER**

No. No days away should be entered for a fatality.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I record a case where the doctor recommends that the employee be placed restricted duty or job transfer but there are no restricted duty or job transfer jobs for this person to do therefore the employee was sent home by the company?

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee receives a RX from the doctor, but does not fill the RX, is it recordable based on the RX itself?

**ANSWER**

Once a doctor prescribes a prescription to an employee this becomes recordable, even if the employee does not fill the prescription.

**SOURCE**

OSHA e-correspondence

**QUESTION**

What date should be used for an injury that is reported on January 31 and does not become a recordable injury until February 5th. Would this be counted as recordable for the month of January when the injury occurred or in February when it became recordable?

**ANSWER**

You should record the injury using the date the injury occurred, January 31st.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am new to filling out the OSHA forms 300 & 300A. I have not had any training on how to fill out the forms. Can you help?

**ANSWER**

Please visit <http://www.osha.gov/recordkeeping/tutorial.html> for a tutorial on how to complete the OSHA recordkeeping forms.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is injured and accumulates 200 restricted days in the period from January to July then has 10 days away from work in August, how do I record the case?

**ANSWER**

Check column (H) to reflect the most serious outcome, days away from work. Place "180" in column (L) to reflect the days of restricted work activity that were first incurred. You may also choose to enter 1 day in the "Days away from work" column (K) to prevent confusion or computer related problems.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee who suffers from epilepsy experienced a seizure in the work environment during her assigned working hours and as a consequence, fell and suffered an injury. As a result of the fall she required days away from work. Is the accident recordable?

**ANSWER**

No. Neither the seizure nor the ensuing injury are recordable. Injuries and illnesses that result solely from non-work-related events or exposures are not recordable under the exception in section 1904.5(b)(2)(ii). Epileptic seizures are a symptom of a disease of non-occupational origin, and the fact that they occur at work does not make them work-related. Because epileptic seizures are not work-related, injuries resulting solely from the seizures are not recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can the annual summary be posted on a computer, rather than a paper summary on the bulletin board, assuming that all employees have access to computers?

**ANSWER**

No. A paper copy of the Annual Summary must be posted in each establishment, where notices are normally posted.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are accidents to volunteers and students who are not being paid but are working in a nursing home and under the supervision of the staff required to be logged in?

**ANSWER**

If a student or intern is working as an unpaid volunteer, he or she would not be an employee under the OSH Act and an injury or illness of that employee would not be entered into the Part 1904 records. If the worker is receiving compensation for services, then there is an employer-employee relationship for the purposes of OSHA recordkeeping. The employer in that relationship must evaluate any injury or illness at the establishment and enter it into the records if it meets the recording criteria.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an injury is recordable with restricted time assigned by a physician, (released to return to work the following day, with restrictions) and the employee decides to miss work due to the injury, am I required to change my OSHA log to reflect a day away?

**ANSWER**

In this situation, you must count days of restricted work activity as assigned by the physician or other licensed health care professional.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When updating the number of lost days from week to week, is it acceptable to erase the previous total to add the next weeks'?

**ANSWER**

You may erase, delete or line out the original entry and enter the updated information. You must estimate the total number of calendar days you expect the employee to be away from work, and then update the initial log entry later when the day count is known. Please be aware that you are not required to update the form on a weekly basis, but you may do so if you choose to.

**SOURCE**

OSHA e-correspondence

**QUESTION**

One of our workers was using a large wrench which slipped from her grip and struck her across the nose. She was taken to the hospital and it was determined at that time that she could return to work the next day with no restrictions. She received only first aid. I did not record the incident. Subsequently it has been determined that she requires surgery for the injury. She has had surgery to correct this problem and will be out for approximately 5 days. Do I record the case using the initial accident date and then record the days out of work due to the surgery even though this was originally a non-recordable incident?

**ANSWER**

Yes. When known, you use the date the injury occurred even though it may not have been recordable at that time.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am an onsite licensed physical therapist for a manufacturing company. If an employee pops into my office and complains of some mild discomfort (such as neck pain) related to his job and I observe him performing his job and make suggestions for use of an improved work technique that would be less irritating to his neck, does this incident then become a recordable on the OSHA 300 log?

**ANSWER**

No. A suggestion of an improved work technique is not considered medical treatment for OSHA recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If we have a contract person working at our site and that person suffers a recordable injury while working, does their employer record the injury on their OSHA 300 log or do we record it on ours?

**ANSWER**

If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When a person goes to the hospital because of a cut, and the doctor applies an adhesive glue, is this considered an OSHA recordable?

**ANSWER**

Yes, surgical glues are considered medical treatment for OSHA injury and illness recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

<b>QUESTION</b>
Can the OSHA Log 300 & Summary 300A be replicated by our IT department to create a similar but perhaps slightly different looking form as long as all of the same information remains on it?
<b>ANSWER</b>
Yes. An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
If an employee with a work related injury goes to the hospital and gets stitches, would that be considered a recordable case?
<b>ANSWER</b>
Yes. Sutures are considered medical treatment for OSHA injury and illness recordkeeping purposes.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
How many employees must be employed for an employer be required to complete and post form 300A?
<b>ANSWER</b>
Eleven. If your company had ten(10) or fewer employees at all times during the last calendar year, you do not need to keep OSHA injury and illness records unless OSHA or the BLS informs you in writing that you must keep records. However, as required by 1904.39, all employers covered by the OSH Act must report to OSHA any workplace incident that results in a fatality or the hospitalization of three or more employees. The test for the small employer exemption is based on the number of employees in the entire firm, not the number in an individual establishment.
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
I prepare a monthly safety report for my senior managers and would like to add national industry averages to it so that they can compare our performance to others in the industry. Where can I find current information on this?
<b>ANSWER</b>
You can find occupational injury and illness statistical information on the Bureau of Labor Statistics webpage at <a href="http://www.bls.gov/iif/home.htm">http://www.bls.gov/iif/home.htm</a>
<b>SOURCE</b>
OSHA e-correspondence
<b>QUESTION</b>
We employ many temporary, seasonal and part time employees. If one of them has a work related accident, how do I record lost time on the OSHA log?
<b>ANSWER</b>
Estimate the total number of calendar days you expect the employee to be away from work, and then update the initial log entry later when the actual day count is known. If you are unable to track the recovery of the temporary worker, and you have a recommendation from a health care provider, use the recommended amount of days as the day count. If a recommendation from a health care provider is not available, enter a good faith estimate as the day count.
<b>SOURCE</b>
OSHA e-correspondence

**QUESTION**

We use many volunteer workers here at our place of business. Are injuries related to their work recordable on the OSHA log?

**ANSWER**

You are required to record injuries and illnesses of "employees" as defined by the OSH Act and Part 1904.31. Generally injuries and illnesses to volunteers that do not receive any compensation are not recordable on the OSHA log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am updating our Computer Based Training and have injury and illness statistics dated 1996. Where can I find more recent statistics?

**ANSWER**

You can find occupational injury and illness statistical information on the Bureau of Labor Statistics webpage at <http://www.bls.gov/iif/home.htm>

**SOURCE**

OSHA e-correspondence

**QUESTION**

Where would I go to get benchmarking statistics on Occupational Health and Safety in food producing facilities? Namely I am interested in industry averages for the number of work related injuries or illnesses.

**ANSWER**

You can find occupational injury and illness statistical information on the Bureau of Labor Statistics webpage at <http://www.bls.gov/iif/home.htm>

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has a heart attack at work or similar non-occupational incident resulting in death, is this a recordable incident? Do non-occupational related deaths that occur at the work site need to be reported to OSHA?

**ANSWER**

Only work related incidents need to be recorded. However, you must report a fatality caused by a heart attack at work. Your local OSHA Area Office director will decide whether to investigate the incident, depending on the circumstances of the heart attack.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I would like to be able to obtain injury and illness statistics for individual companies: Is there a way I can look up these stats?

**ANSWER**

You can search for establishment specific injury and illness rates at [http://www.osha.gov/pls/odi/establishment\\_search.html](http://www.osha.gov/pls/odi/establishment_search.html)

**SOURCE**

OSHA e-correspondence

**QUESTION**

What is the formula used to calculate the Days Away From work Incidence Rate?

**ANSWER**

Days Away From Work Incidence Rate is calculated based on  $(N/EH) \times (200,000)$  where N is the number of cases involving days away from work (column H), EH is the total number of hours worked by all employees during the calendar year, and 200,000 is the base for 100 full-time equivalent employees.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When calculating the lost days away incident rate the use of the number 200,000 is based on 100 employees. What number should be used when hours are counted for only 30 employees?

**ANSWER**

The 200,000 constant is used for all sized establishments. This provides an incidence rate per 100 Full Time Employees (FTE).

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are injuries sustained in a fight at the workplace considered work-related?

**ANSWER**

Yes. An injury or illness must be considered work-related if an event or exposure in the work environment caused or contributed to the injury or illness or significantly aggravated a pre-existing injury or illness. Work relationship is presumed for such injuries and illnesses unless an exception listed in paragraph 1904.5(b)(2) specifically applies. There is no exception for injuries resulting from work-place violence.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How many days are to be counted in the case of a recordable occupational death?

**ANSWER**

None. In the case of an occupational fatality, enter a checkmark in column G (death) on the 300 log. No days are enter in column K.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I understand that there is a training tutorial on Recordkeeping.How do I obtain this tutorial?

**ANSWER**

The tutorial is located at <http://www.osha.gov/recordkeeping/tutorial.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

How would I go about finding an experience modification number for a company?

**ANSWER**

The Experience Modification Rate (EMR) is a rate assigned by your worker's compensation insurance carrier. Please contact your carrier for this information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee receives an insect bite, goes to the doctor and receives a prescription medication. Is this injury a recordable?

**ANSWER**

Yes. An insect bite that occurs in the work environment is a work related injury. Treatment with a prescription medication is medical treatment which makes the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is a ganglion cyst diagnosis in the wrist considered a recordable injury?

**ANSWER**

A work related ganglion cyst is recordable if the case involves medical treatment beyond first aid, days away from work, restricted work activity, or job transfer.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I thought one could go online to "pull" reports that show reported incidents of a particular company. Is this information available online?

**ANSWER**

You can search for establishment specific injury and illness rates at [http://www.osha.gov/pls/odi/establishment\\_search.html](http://www.osha.gov/pls/odi/establishment_search.html)

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a person is sprayed while doing their job by a crop duster should that be put on the OSHA log?

**ANSWER**

Chemical exposures in and of themselves are not recordable on the OSHA Log. An injury or illness must exist (i.e. the employee must show abnormal symptoms from the exposure) and the case must meet one or more of the general recording criteria (medical treatment beyond first aid; days away from work; restricted work activity; job transfer; loss of consciousness; "significant" diagnosed injury or illness).

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I find OSHA's Form 300 and 300A? I have looked on your website but cannot seem to find the actual form to print out.

**ANSWER**

The forms are located at <http://www.osha.gov/recordkeeping/RKforms.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

I would like to know the number of forklift/lift truck related fatalities and injuries reported in the workplace during the year for the entire country. Where can I find this information?

**ANSWER**

You can find occupational injury and illness statistical information on the Bureau of Labor Statistics webpage at <http://www.bls.gov/iif/home.htm>

**SOURCE**

OSHA e-correspondence

**QUESTION**

Could you please help me find our SIC code?

**ANSWER**

You may do a search for SIC at <http://www.osha.gov/oshstats/sicser.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do we record time lost from work on injuries from prior years? For instance, an employee is injured in the year 2009, but has surgery related to the injury in 2010 and misses time out of work. Where and how should this lost time be recorded?

**ANSWER**

You only record the injury or illness once. You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee arrives for work. As she is walking across the parking lot prior to the start of her shift, she is bitten by a wasp/bee and has an allergic reaction. She is taken to the doctor where she is given an injection and a prescription. Is this case recordable?

**ANSWER**

Yes, this is a recordable case. The parking lot is considered part of the establishment and thus the work environment. Punching in/out on a time clock does not determine work relatedness. The bee sting is considered a work related injury and the employee was administered a prescription, which is medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We are a general contractor and hire supplemental craft and supervisory employees from a firm that supplies temporary help. One of the employees had a recordable injury. He was directly supervised by our employee. My understanding of the recordkeeping requirement is that the injury would be entered on our log, not the temporary help company, since we control and direct the employee's work. Am I correct?

**ANSWER**

Yes. You must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day to day basis. Day to day supervision occurs when in addition to specifying the output, product or result to be accomplished by the person's work, the employer supervises the details, means, methods and processes by which the work is to be accomplished.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was diagnosed with a work related hernia and received an experimental surgery to repair it. The surgery failed and now requires 2 more corrective surgeries spread over a 6-month period, during which time he is unable to work. Does the employer have to record 180 days of lost time because of the surgeon's error?

**ANSWER**

Yes. The initial and subsequent surgeries are to repair the work-related hernia. All of the lost time entailed must be counted towards the case. The fact that a surgical error occurred is not considered.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had a employee that was stung by a bee and went into anaphylactic shock. Would this be considered an injury or a respiratory condition for the Form 300?

**ANSWER**

Insect bites and stings are classified as injuries on the OSHA Form 300.

**SOURCE**

OSHA e-correspondence

**QUESTION**

My company has a central maintenance facility that sends personnel out to do maintenance work at several of our local company plants. If one of these maintenance employees would get injured while doing maintenance at Plant "A", would the injury go on Plant "A"s OSHA log?

**ANSWER**

Yes. If the injury or illness occurs at one of your establishments, you must record the injury or illness on the OSHA 300 Log of the establishment at which the injury or illness occurred.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is injured, but the worker's compensation carrier denies the claim due to the injury being 'not in the scope of employment,' should the injury still be recorded on the OSHA 300 log?

**ANSWER**

When an injury or illness occurs to an employee, the employer must independently analyze the case in light of both the OSHA recording criteria and the requirements of the State workers' compensation system to determine whether the case is recordable or compensable, or both. Your case must be judged by the criteria of the OSHA recordkeeping rule to determine if it should be placed on the 300 Log. Workers Compensation is not a consideration of whether the case is OSHA recordable or not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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**

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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is a scanned image of a company executive's signature acceptable on the Annual summary for posting?

**ANSWER**

Yes, a scanned or electronic signature may be used by a company executive on the OSHA summary form.

**SOURCE**

OSHA e-correspondence

**QUESTION**

On the OSHA Form 300, under category (J) what does Other recordable cases mean?

**ANSWER**

Column J on the OSHA 300 Form is for injuries and illnesses that meet the recording criteria but do not involve death, days away from work or job transfer/restriction. These are primarily cases involving medical treatment beyond first aid, but can also include, for example, cases involving loss of consciousness, occupational hearing loss, or potentially contaminated needlesticks.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was working from 8:00am - 5:00pm and went home. The next day he reports that he injured his back the day before at work. He is seen and is placed on restricted duty. Is this recordable since he did not report the incident on the shift in which it occurred?

**ANSWER**

There is no time limit for reporting an injury or illness to the employer. If the injury is work related and meets the general recording criteria, the case must be recorded.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have an employee who was injured and off work for several days, and has been on restricted duty for a few months. When recording the number of days for each, do I count Saturday's, Sunday's and holidays?

**ANSWER**

Yes. You must count the number of CALENDAR DAYS the employee was unable to work as a result of the injury or illness, regardless of whether or not the employee was scheduled to work on those day(s). Weekend days, holidays, vacation days or other days off are included in the total number of days recorded.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee fails a post accident screen for illegal drugs and alcohol is a workplace accident still considered to be work related?

**ANSWER**

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).

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee falls in the company parking lot but has not punched the clock, is this work related?

**ANSWER**

Yes. The company parking lot is part of the work environment. Being on or off the clock is not determinative.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have an employee that was injured 3 months ago. Her injury was recorded and treated and resolved. Now she says it is bothering her again due to work and wants further follow up. Do I record it as another injury or is it a continuation of the same injury from 3 months ago?

**ANSWER**

You must consider this to be a new case if the employee had recovered completely (all signs and symptoms had disappeared) from the previous injury or illness and the new exposure in the work environment caused the signs or symptoms to reappear. An employee has "recovered completely" from a previous injury or illness when he or she is fully healed or cured. The employer must use his best judgment based on factors such as the passage of time since the symptoms last occurred and the physical appearance of the affected part of the body. If, for example, the signs and symptoms of a previous injury disappear for a day only to reappear the following day, that is strong evidence the injury had not completely healed.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I count the number of days an employee was off work due to a workplace injury when the employee works on a part-time, as-needed basis?

**ANSWER**

You must count the number of calendar days the employee was unable to work as a result of the injury or illness, regardless of whether or not the employee was scheduled to work on those day(s). This applies to employees who work on a part-time or as needed basis as well as to full time employees. You may end the count of days away from work when the employee is capable to return.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee works for a certain location and visits different locations of his company during his day's work. During such a visit, he is injured in a location which is other than his home location. In such a case, should the injury be reported (in the OSHA 300 log) for the home location or the location where the employee was actually injured?

**ANSWER**

When the injury or illness occurs at one of your establishments, you must record the injury or illness on the OSHA 300 Log of the establishment at which the injury or illness occurred.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am getting the OSHA 300A forms ready for posting the next year and I have a question on how many employees to put down. We have several establishments, and they all need to post their own log. All together, the company has about 150 employees, but each branch location only has 5-8 employees. For the annual average # of employees and the hours worked, do I put the total for the company or just the for each location.

**ANSWER**

OSHA injury and illness records are kept by establishment, so only use the information for each establishment on the 300 Log and 300A summary.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was coming to work, parked their car in the employee parking lot, got out of the car and proceeded to slip and fall (incurring an injury), prior to entering the work site. The employee was evaluated and lost time from work. Would this be a OSHA recordable injury?

**ANSWER**

Yes. A company owned parking lot is considered part of the establishment and therefore within the work environment. An injury or illness is considered work-related if an event or exposure in the work environment caused or contributed to the injury or illness or significantly aggravated a pre-existing injury or illness. Because the injury occurred in the work environment and required days away from work, the case is recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Under the record keeping requirements, employers with less than 11 employees are not required to complete OSHA logs. If an employer had 2 employees and 15 volunteers both performing similar job tasks, would they be required to complete OSHA logs?

**ANSWER**

The small employer exemption is based on the number of employees of the firm. If the "volunteers" do not meet the definition of employee in the OSH Act, then the firm meets the small employer exemption.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Please confirm whether we should be recording injuries and illnesses for subcontractors working on our sites.

**ANSWER**

You must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day to day basis.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do the OSHA 300 and 300A records need to be sent to OSHA?

**ANSWER**

No. Keep these records on file at your establishment for the 5 year retention period. You only need to send your injury and illness information to OSHA or the BLS if asked to do so in writing.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was hurt on 2/25, goes to ER and the doctor states she can return to work in two days. She is out 2/26 and 2/27, has off 2/28, takes a personal day 3/1 and returns to works on 3/2. Do I count 2 days out or 4 days?

**ANSWER**

You count two days as directed by the physician.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are "denied" claims to be logged on the OSHA 300 log of occupational illnesses and injuries?

**ANSWER**

Many cases that are recorded in the OSHA system are also compensable under the State workers' compensation system, but many others are not. When an injury or illness occurs to an employee, the employer must independently analyze the case in light of both the OSHA recording criteria and the requirements of the State workers' compensation system to determine whether the case is recordable or compensable, or both. Your case must be judged by the criteria of the OSHA recordkeeping rule to determine if it should be placed on the 300 Log. Workers Compensation is not a consideration of whether the case is OSHA recordable or not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How many days away from work are accounted for a work related fatality?

**ANSWER**

None. For a work related fatality, enter a checkmark in column G. No days away from work are entered in column K.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee who was stung by a wasp on the job and was given a prescription allergy shot. Is this recordable on the OSHA Form 300?

**ANSWER**

Yes. A wasp sting in the work environment is a work-related injury. Administration of a prescription medication makes the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee of a temp service contracted to work at my company was injured and needed some medical treatment. Am I responsible to record this injury on my company's 300 log?

**ANSWER**

You must record the injury if you supervise the employee on a day-to-day basis. Day-to-day supervision occurs when in addition to specifying the output, product or result to be accomplished by the person's work, the employer supervises the details, means, methods and processes by which the work is to be accomplished.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When the Form 300A is completed and ready for posting, do I need to send this form to OSHA, Department of Labor?

**ANSWER**

No. After the posting period is complete, please keep this form on file at your establishment for the 5 year retention period. You only need to send this information to OSHA or the BLS if asked to do so in writing.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our business manufactures fishing tackle. We occasionally have an employee whose finger gets punctured by a fish hook while assembling the lure. We are sometimes able to get the hook out by one of our staff; other times it is necessary to have the hook removed by a doctor. What are some guidelines we might use to determine if this type of injury is recordable or not?

**ANSWER**

Removing foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means is considered first aid and does not make a case recordable. Removal of a fish hook by surgical or other complicated means is medical treatment and would make a case recordable. The issuance of prescription medication to prevent infection would also make the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have an employee who developed a rash from using Latex gloves. She went to the doctor and received a prescription cream. Is this recordable?

**ANSWER**

Yes. The case is recordable because of the use of prescription cream. Latex allergic reactions would be considered an illness and have a check mark in column M 2.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Would an industrial site at a U.S. owned company located in Mexico need to keep OSHA 300 logs?

**ANSWER**

No, the OSH Act requirements do not cover establishments in Mexico regardless of ownership. Many companies, though not required to, do use the OSHA injury and illness recordkeeping system for non-US sites to provide a basis for comparison.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have a long time employee who had a positive reaction to a mantoux for the first time this year (she has worked for us several years). We have no knowledge of this employee being exposed to active TB in the workplace. As yet the employee has not contracted TB. Is this recordable on the OSHA log?

**ANSWER**

No. There has to be occupational exposure to someone with a known case of active tuberculosis (TB) to establish work-relationship.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the form 300A need to be mailed to OSHA by a certain date? If so, when is this date? Where should it be mailed to?

**ANSWER**

You should not mail your Form 300A to OSHA. Keep the form on file at your establishment for the 5 year retention period. You only need to submit your injury and illness information to OSHA or the BLS if asked to do so in writing.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is the OSHA 300 log available online?

**ANSWER**

You can download the OSHA recordkeeping forms at <http://www.osha.gov/recordkeeping/RKforms.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

When recording days of work restriction or days away from work do I count only the employee's days scheduled to work or do I count calendar days?

**ANSWER**

You count calendar days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Sense a tetanus immunization is a preventative medication and is not considered medical treatment for recordkeeping purposes, are other preventative medications first aid or medical treatment? For example if a person is bitten by a dog and the Physician gives prescription antibiotics as a preventive measure, is the case recordable?

**ANSWER**

Tetanus shots, are specifically listed in the regulation as first aid. Any other prescription medication is considered medical treatment. The preventive, precautionary or prophylactic nature of a medication is not controlling for OSHA recordability. The dog bite would be recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have a main office a four branch offices. Do I only have to post the summary form in my main office or do I need to post in all offices?

**ANSWER**

You need to keep a separate OSHA 300 Log for each establishment and post the summary in each establishment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A salesman, who works out of his private home, slips and falls on ice in his driveway. The employee states he was carrying company property at the time of his fall. Is this work-related?

**ANSWER**

No. Injuries and illnesses that occur while an employee is working at home are considered work-related if the injury or illness occurs while the employee is performing work for pay or compensation in the home, and the injury or illness is directly related to the performance of work rather than to the general home environment or setting. Ice outside the home is part of the general home setting.

**SOURCE**

OSHA e-correspondence

**QUESTION**

My employee fell and bruised her knee. It was elevated and iced for 30 minutes. She did not lose any work time. The next day, she did go to a walk-in clinic and had it x-rayed. There was no fracture. Because she still had pain, she saw our medical director who prescribed ice, gave her a cane for temporary use to keep weight off it. She has missed no work. Is this recordable?

**ANSWER**

No. All of the treatments she received are considered first aid for OSHA recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

**QUESTION**

On Record Keeping form 300A, what is the definition of "Company Executive"? Specifically, does a Manager of Safety, Health, & Environment meet the criteria of Company Executive if he/she is responsible for the safety and health of employees at a plant location for which the form is being completed?

**ANSWER**

The company executive who certifies the log must be one of the following persons: An owner of the company (only if the company is a sole proprietorship or partnership); an officer of the corporation; the highest ranking company official working at the establishment; or the immediate supervisor of the highest ranking company official working at the establishment. The Manager of Safety, Health and Environment generally would not meet this criterion.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the 180 day cap include both lost work days and restricted days or should each be capped at 180 days?

**ANSWER**

You may stop counting days away from work and days of restricted work activity once the combination of both reaches 180 days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are ultrasound and paraffin treatments considered to be medical treatment under physical therapy or would this be considered first aid treatment under hot or cold therapy?

**ANSWER**

Normally these treatments are given as part of physical therapy regimen and are considered to be medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When you assign a case number, do you start all over with case #1 the following year?

**ANSWER**

When assigning case numbers, the only requirement is that each case number for a given year is unique. You may restart each year at "1" if you choose, it is at the discretion of the recordkeeper.

**SOURCE**

OSHA e-correspondence

**QUESTION**

What if an employee slips in the parking lot as he or she is coming into work in the morning? Would that be considered work-related?

**ANSWER**

Yes. An injury or illness 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. The company parking lot is part of the work environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is giving a one time dose of injectable medication considered medical treatment or first aid?

**ANSWER**

If the medication is prescription medication, it is medical treatment. If it is over-the-counter medication (at non-prescription strength), it is first aid.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has missed work days due to injury and then has returns to work on restricted duty, do you record both the lost days and the restricted days on the 300 log?

**ANSWER**

Yes, enter both day counts. Since days away are the most severe you would check column H and enter the number of days away in column K. When the employee returns on restricted duty you would enter the number of days in column L.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is a case considered work related if an employee is involved in an auto accident during their commute home if they are using company provided transportation?

**ANSWER**

No. This case would not be considered work related because the employee was commuting to home after work. It does not matter that the transportation is company provided.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an injured employee is given a restriction "Use as tolerated" or "Keep injured area clean, dry and covered", would that injury be recorded as involving days of restriction on the OSHA 300 Log?

**ANSWER**

Not necessarily. A recommended work restriction is recordable only if it affects one or more of the employee's routine job functions. To determine whether this is the case, you must evaluate the restriction in light of the routine functions of the injured or ill employee's job. If the restriction from you or the physician or other licensed health care professional keeps the employee from performing one or more of his or her routine job functions, or from working the full workday the injured or ill employee would otherwise have worked, the employee's work has been restricted and you must record the case.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do we need to keep a log in establishments that have 10 or fewer employees? The company itself has more than 10 employees.

**ANSWER**

Each separate establishment in existence a year or more is to have its own OSHA 300 log regardless of the number of employees working at that establishment. The partial exemption for size is based on the number of employees in the entire company.

**SOURCE**

OSHA e-correspondence

**QUESTION**

What does EMR stand for and where can I get it?

**ANSWER**

EMR stands for Experience Modification Rate, a term used in Workers Compensation systems in determining insurance premiums. Please contact your State's Workers Compensation Agency or your insurance carrier to get your rate.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Upon reporting to work, an employee slips on an icy patch of the parking lot falls and injures a knee. The injury results in 23 days of restricted duty. Since the incident occurred in the employee parking lot, would this be a recordable injury?

**ANSWER**

The case is work related and recordable. An injury or illness 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. The company parking lot is part of the work-environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When an employee reports a recordable work-related chronic condition to the employer, what is the correct date of injury? Occasionally, when employees first report chronic work-related health problems, such as repetitive motion stress, they state that the condition first occurred months or years in the past. If the condition is recordable, should the employer log the date the employee thinks the condition began, the date the employee reported the condition, or the date at which the condition became sufficiently disabling to trigger recordability?

**ANSWER**

In continuing exposure scenarios, you should use the date that the case meets the recordability criteria. Otherwise, the case should be recorded using the date which the injury or illness occurred. Where the date of injury or illness cannot be determined, the date the employee reported the symptoms or received treatment must be used.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A resident in our nursing home bit a staff member. The skin of the staff member was broke. We conducted standard washing of the wound and an HIV test was given. There was no loss of work. Should this incident be logged on the OSHA 300?

**ANSWER**

No. A human bite is recordable only if it requires medical treatment beyond first aid, restrictions, or days away from work or if it results in a loss of consciousness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Under 1904, is an injury considered work related if an employee slips and falls on ice in the company's parking lot while walking between their automobile and the facility and prior to the start and/or after the end of their normal workday?

**ANSWER**

Parking Lots are considered part of the employers establishment. Punching in or out of a time clock does not determine the outcome for work-relatedness. Because none of the work-related exceptions under 1904.5(b)(2) apply to the event, the case is work related.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has been released for light duty, but we don't have any light duty available, do I record this as restricted duty or days off?

**ANSWER**

You must record this as days away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do we record cases if first aid is conducted in the emergency room at the local hospital (such as cleaning or wrapping a cut with no stitches)?

**ANSWER**

No, OSHA considers the treatments listed on the first aid list to be first aid regardless of the professional status of the person providing the treatment. Even when these treatments are provided by a physician or other licensed health care professional, they are considered first aid for the purposes of Part 1904.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I count lost time days for a part time employee. We have a part time worker (2-4 days / week) who is injured and will miss some work. Do we count by straight calendar days? Or do we count by the number of days the part time worker was scheduled to work and could not work because of the injury?

**ANSWER**

You must count the number of calendar days, regardless of whether the employee was scheduled to work on those days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee was not put on any type of restrictions by a doctor due to a job related injury, but the employer reassigns his/her duties as a precautionary measure, would it be recorded as a restricted duty incident on the 300 log?

**ANSWER**

Yes, if you assign restricted work activity to an injured or ill worker you must record the case on the Log as a restricted work activity case. The fact that the restriction was put in place for precautionary reasons is not a consideration of whether the case is OSHA recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

While on break an employee was stung by a bee at the establishment. She had an allergic reaction and went into anaphylactic shock. She required medical treatment. Is this recordable?

**ANSWER**

Yes. An injury or illness 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. Being on break is not a consideration of whether the case is work related or not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can a completed First Notice of Injury form be used as a substitute for the OSHA Form 301?

**ANSWER**

An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many employers use an insurance form instead of the OSHA 301 Incident Report, or supplement an insurance form by adding any additional information required by OSHA.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A company is located with multiple buildings within one complex. Can I produce one log for the complex or do I need to have one log for each building?

**ANSWER**

You may complete one log for the complex. Generally, there should be one log per "establishment". An establishment is defined as a single physical location and can include campus and complex type locations.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee reported a foreign body in one of his eyes from the night before. He stated that he did not feel anything go into his eye during the course of the previous work day. When he got home from work he took a shower and later felt something in his eye. Is this work related?

**ANSWER**

No. If there is no indication that an exposure took place within the work environment, you do not have to consider the case work related. 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. Because the injury arose outside of the work environment, the presumption does not apply.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If our company has multiple offices in multiple states does each office have to maintain an OSHA 300 Log or should one log for all locations be kept at the Corporate office only?

**ANSWER**

You must keep a separate OSHA 300 log for each establishment that is expected to be in operation for one year or longer. You may keep the records for an establishment at your headquarters or other central location if you can: (i) Transmit information about the injuries and illnesses from the establishment to the central location within seven (7) calendar days of receiving information that a recordable injury or illness has occurred; and (ii) Produce and send the records from the central location to the establishment within the time frames required by 1904.35 and 1904.40 when you are required to provide records to a government representative, employees, former employees or employee representatives.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A temporary worker is injured and has a job restriction recommended by the physician. The temporary services placement agency reassigns the person to another job in another company where the person can be more productive. Does the injury count as one day of restricted work activity or do you estimate the number of days of restriction that would have been needed?

**ANSWER**

Since the worker was reassigned because of the injury you must estimate the number of days of restricted work activity that would have been needed and use that estimate as your entry.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee reports an injury, but does not see a physician for a period of time (a week, for example) and continues to work during that period. Then the physician lists a work restriction. Would I count the calendar days from the day after the injury or from the date the physician started the restricted duty?

**ANSWER**

Start counting the number of calendar days for restricted work when the physician assigned the restricted work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am setting up a program to measure our manufacturing plants accident frequency and severity. My plan is to compare the rates between our plants and the national average within our industry. Does OSHA have any such rates by industry?

**ANSWER**

You can find occupational injury and illness statistical information on the Bureau of Labor Statistics webpage at <http://www.bls.gov/iif/home.htm>

**SOURCE**

OSHA e-correspondence

**QUESTION**

What is the difference between surgical glue and liquid bandage?

**ANSWER**

Surgical glue is a wound closure and is considered medical treatment for OSHA recordkeeping purposes. A liquid bandage is a wound covering and is considered first aid.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has an injury, is hospitalized and dies 10 days after the accidents do we count the 10 days prior to the death as lost work days?

**ANSWER**

No. Days away from work are not counted fatal injuries.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee states on Dec. 30th 2002 that her hand hurts. On January 3rd she goes to a doctor and is now preparing for surgery. On which year's log is the case recorded, 2002 or 2003?

**ANSWER**

Record the case on the 2002 Log. Ordinarily, the case should be recorded on the Log for the year in which the injury or illness occurred. Where the date of injury or illness cannot be determined, the date the employee reported the symptoms or received treatment must be used.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was operating a company vehicle during his normal work hours. The employee became involved in an accident and sustained injuries requiring him to be taken to a hospital. The employee was required to give a urine and blood sample per company rules. Cocaine was found in the employees urine. The employee was fired on the date of the accident for violating the company substance abuse rule. The doctor told the employee that he must not work for at least 1 week. Does that fact that the employee was under the influence of drugs at the time of the injury affect the recordability of the case?

**ANSWER**

You must record this case as a column H case with 7 days away. The fact that the employee was under the influence of drugs is not considered in the decision making process. When the employer conducts a drug test based on the occurrence of an accident resulting in an injury at work and subsequently terminates the injured employee, the termination is related to the injury. Therefore, the employer must count the number of days indicated by the doctor that the employee would have been away from work due to the injury and enter that number on the 300 Log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is fatally shot by a criminal attempting to steal from the work site. The victim did not confront or interact with the criminal, he was simply shot for being in the way. Should this be recorded as a work-related fatality?

**ANSWER**

Yes, there is no exception to work relatedness for incidents involving workplace violence. The case should also reported by telephone or in person to the Area Office of the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, that is nearest to the site of the incident. You may also use the OSHA toll-free central telephone number, 1-800-321-OSHA (1-800-321-6742).

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee sustained a work related injury and was placed on restriction pending a follow-up appointment with the physician. There was no end date to the restrictions provided at the first visit. On two occasions the employee missed a scheduled follow-up visit and does not want to be seen the physician. When may I stop the day count?

**ANSWER**

You can stop the day count on the date of the first missed follow-up appointment. If subsequent documentation indicates further time for recuperation was needed, update the original entry to reflect the new information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our company has offices across the country. What is the minimum number of employees per site that would requires us to post a copy of the OSHA log/summary? Our number of employees per site range from 2 or 3 up to several hundred.

**ANSWER**

Employers are required to have a separate OSHA Log and summary form for each establishment, reflecting the injury/illness experience at that establishment. There is no establishment employment criterion for this requirement. The small employer exemption to the recordkeeping requirements is based on the employment of the entire firm.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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**

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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee sustained a work related injury and was placed on restriction. She worked for a few days with the restriction and then went on a pre-planned vacation. During her vacation, she followed up with the physician who maintained her restriction. She plans on using her vacation time and then retire for reasons not related to the injury. She may not return to work between the time her vacation ends and her retirement begins. At what point may I stop counting restricted days on this employee?

**ANSWER**

You can stop the day count on the day she retires since the retirement is unrelated to the injury.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee sustained a work related injury and was placed on restriction pending a follow up appointment with the physician. This employee missed his follow up appointment and is now on a personal leave of absence unrelated to his injury. Despite repeated attempts, I have been unable to contact this employee in order to reschedule his follow up appt. Am I required to continue counting restricted days on this employee while he is off?

**ANSWER**

You can stop the day count on the date of the missed follow-up appointment. If subsequent documentation indicates further time for recuperation was needed, update the original entry to reflect the new information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

The day the employee was injured the doctor released him off work for that same day. Would I count this 1 day under the "away from work" section in the Form 300?

**ANSWER**

No. You begin counting the number of calendar days for days away from work, restricted work or job transfer on the day after the injury occurred or illness began.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was off of work for 8 days then returned for 4 days on light duty. The doctor then placed him off of work again for 20 more days. Do I count total days out from work or only the second set of days he was out?

**ANSWER**

You should count 28 days away from work and 4 days of restricted work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our company will be hosting a Family Fun Day next to the main office. Attendance is voluntary and employees are allowed to bring family members. If an employee gets injured and requires medical treatment would this be an OSHA recordable case?

**ANSWER**

Injuries that result solely from voluntary participation in recreational activities are generally not considered work-related.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee claims he hurt himself at work. He takes it upon himself to take one or two days off using his own personal time. He does not provide us with any medical documentation to back up his being unable to work and claims he doesn't need to see a doctor, he just want to rest for a day or two. Do we need to record this as a days away from work case if we question that there is no medical evidence that he needed the time off?

**ANSWER**

The employee's decision does not determine the outcome for recordability. Nor is a medical opinion required in this situation. The employer must make a good faith decision as to whether the employee needed the days away from work for recuperation or not and record appropriately.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I determine whether an Over-The-Counter medication is considered prescription strength?

**ANSWER**

When medications are available in both prescription and non-prescription strengths, the employer should consider the medication to be at prescription strength if it is given at a dosage above the dosage in the directions of the over-the counter or OTC form.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A host employer has contracted employees for their nursing services. The host employer supervises the contracted employees on a day-to-day basis. Would the fact that the company that provides the contract employees has an office on the host's physical location affect the decision on who records the injuries and illnesses of these workers?

**ANSWER**

No. The host company must record the injuries and illnesses of these workers because the host provides the day-to-day supervision.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee was diagnosed with carpal tunnel syndrome and has no restrictions or lost time, would this be recorded on the OSHA log under illness?

**ANSWER**

Work related carpal tunnel syndrome is only recordable if it entails one or more of the following: medical treatment beyond first aid; days away from work; or days of restricted work activity or job transfer.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had an employee fall and chip a tooth. He went to the dentist and had a small cap placed on the tooth. Is this considered a recordable injury?

**ANSWER**

Yes. A case involving a chipped or broken tooth is considered a significant injury when diagnosed by a physician or other health care professional. Work-related significant injuries are automatically recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee strikes his tooth on a pipe stand while performing a task and loses the cap from his tooth, and the dentist replaces it, is it a recordable case?

**ANSWER**

Replacement of a prosthetic device is not automatically recordable. The case is recordable if medical treatment, such as the use of prescription medication, is needed or if the case involves days away from work or restricted work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I'm finding all your various rate calculations to be confusing. Please provide the formulas and definitions for your relevant calculations--specifically TCR, DAFWII, and DART. We'd like to benchmark ourselves and do annual comparisons.

**ANSWER**

The various rates are incidence rates per 100 full-time workers and are calculated using the following formula: (Number of injuries and illnesses X 200,000) / Employee hours worked = Incidence rate For the Number of injuries and illnesses in the formula above:TCR (Total Case Rate) -- Use the total number of injuries and illnesses --- columns G, H, I, and J from the OSHA 300 Log DART (Rate of cases involving Days Away, Restricted work, or job Transfer) -- Use the total number of injuries and illnesses that involved either days away from work and/or restricted work activity --- columns H and I from the OSHA 300 Log DAFWII (Rate of cases involving Days Away From Work) -- Use the total number of injuries and illnesses that involved days away from work --- column H from the OSHA 300 Log

**SOURCE**

OSHA e-correspondence

**QUESTION**

Several of our employees were exposed to sulfuric acid from a damaged battery. The employees went to a local ER complaining of signs and symptoms that can be attributed to the exposure. No one was admitted and all were cleared by a physician. This happened on a Friday. On Monday all affected staff returned to work. Some exhibited further reactions over the weekend but not severe enough to go to the local ER. On Monday a few were still experiencing signs and symptoms but very mild in nature. Are these recordable?

**ANSWER**

These cases are not recordable if they did not involve one or more of the general recording criteria: medical treatment beyond first aid, days away from work, restricted work activity or job transfer, or loss of consciousness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had an employee conducting office work that was simply walking to another employee's cubicle during which she twisted her foot and sustained a fracture. The investigation revealed that there were no physical conditions or factors associated to the work environment or activity that contributed to the accident other than the fact that she was walking. Is this case work related?

**ANSWER**

Yes, this case is considered work-related. 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. This employee twisted her ankle in the work environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was transported via ambulance following an on the job automobile incident. He was examined at the Emergency Room and was subsequently released without treatment to return to his normal job duties. During transport via ambulance, the paramedics administered a "routine" IV of saline as a means to administer medication if needed. Does this administration of saline via IV constitute medical treatment?

**ANSWER**

An IV put in place solely as a delivery system for medication is not considered medical treatment. Any prescription medication given is considered medical treatment. An IV is considered medical treatment if it is provided to treat an employee's condition such as dehydration or heat stress.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A dust particle is removed from the eye using a cotton swab, but prescription eye drops are given to prevent the possibility of infection. Do the eye drops make the case recordable even though they were only precautionary?

**ANSWER**

Yes, the case is recordable. Any use of RX medicine in treating a work-related injury or illness is considered medical treatment regardless of purpose prescribed.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a doctor is dealing with someone who is very excited because they have been injured and the physician gives the employee a single dose of a drug to calm the employee down (assisting diagnosis), would that be a recordable injury?

**ANSWER**

Yes, this case is recordable. Any use of prescription medication makes a work related injury or illness recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our insurance agent said we need to keep an OSHA log. Where do we get the forms and directions to complete them?

**ANSWER**

The OSHA Form 300 can be found and downloaded from the OSHA website at <http://www.osha.gov/recordkeeping/RKforms.html> Please review the tutorial at <http://www.osha.gov/recordkeeping/tutorial.html> for an overview on how to complete the forms. You will also find links to the Regulatory Text of the Recordkeeping Rule, Frequently Asked Questions, Fact Sheets and other general information regarding recordkeeping at <http://www.osha.gov/recordkeeping/index.html>.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee sees a doctor for a minor injury and receives an optional, one-time pain medication shot at prescription strength, is it considered a recordable?

**ANSWER**

Yes. Use of the prescription medication for a work related injury makes the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is the body part required in the OSHA Form 300? The program that we use to generate our OSHA Form 300 does not include the body part in the description field. Is this okay?

**ANSWER**

No. The instruction for column F on OSHA form 300 requires part of body. To be considered an equivalent form, the substitute form must contain all of the information on the OSHA form, or be supplemented with the missing information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have an employee who was laid-off for economic reasons while on restricted duty. Do I count the lay-off days as restricted days on the OSHA 300 log?

**ANSWER**

You do not need to count the days the employee was laid off. If the employee leaves your company for some reason unrelated to the injury or illness, such as retirement, a plant closing, or to take another job, you may stop counting days away from work or days of restriction/job transfer. If an employee leaves your company because of the injury or illness, you must estimate the total number of days away or days of restriction/job transfer and enter the day count on the 300 Log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a work-related injury results in both days away from work and restricted duty days, is the total number of days (lost time + restricted duty) capped at 180 days or would the 180 day cap apply individually to lost time and restricted duty (i.e., Lost time max - 180, restricted duty max - 180)?

**ANSWER**

You may stop counting days away from work or days of restricted work activity once the combination of both reaches 180 days (days away + days restricted = 180).

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee trips in the company parking lot over a curb or parking chock at 4:35 PM after clocking out at 4:30 PM. The resultant injury requires sutures so is more than first aid. Even though the employee has suffered a recordable level injury on company property does the fact that the employee is off the clock, make this case not recordable?

**ANSWER**

Punching in or out of a time clock does not determine the outcome for work-relatedness. This case is work-related and recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Recently we had an employee suffer from a small (2 cm) second degree burn. The individual was seen by a doctor who cleaned the area, applied an over the counter ointment and returned him to work. He was instructed to obtain and utilize an over the counter ointment and to keep the area covered. The doctor gave him no work restrictions. Is this recordable?

**ANSWER**

No, the size or degree of a work-related burn does not determine recordability. If a work-related first, second, or third degree burn results in one or more of the outcomes in section 1904.7 (days away, work restrictions, medical treatment, etc.), the case must be recorded.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is off the worksite for lunch and has an incident that results in injury. The employee is an hourly employee whom gets a paid lunch. Does this then become a recordable since he is on the clock when the injury occurred?

**ANSWER**

No. The case is not work-related because the employee was not within the work environment and he was present as a condition of employment or engaged in a work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had two injury incidents occur recently. The injuries were a bone chip to the end of a finger, and a depression in the bone of a finger. The physicians called the injuries a "tuft fracture" and a "divot fracture". In these instances the bone chip and the divot injury were deemed "minor" injuries by the attending physicians. The employees were returned to full duties without any treatment beyond first aid treatment. The individuals were able to complete all of their normal duties. Are these recordable?

**ANSWER**

Yes, all work related fractures are recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Recently we had an employee bump his knee on a forklift. He went to the Emergency Room to have it checked out and they gave him no restrictions and he missed no work. He worked for a week without any problems until the weekend. While carrying his child on a walk he aggravated the same knee and required medical attention including time off. Is this a recordable case?

**ANSWER**

No. Non-work related aggravation of a non-recordable injury does not make a case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Would an injury such as slipping and falling on ice in a company parking lot while commuting to or from work be considered work-related?

**ANSWER**

Yes. The company parking lot is considered part of the work environment. 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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee, while at work, aggravates a pre-existing condition/injury that was not received in the workplace and receives steroid shots for the pain, even though the employee was already receiving steroid shots for the pre-existing injury, is this a recordable injury?

**ANSWER**

A preexisting injury or illness has been significantly aggravated, for purposes of OSHA injury and illness recordkeeping, when an event or exposure in the work environment results in a change in medical treatment. If the employee would have received the steroid shot regardless of the aggravation, the case is not recordable. On the other hand, if the employee received the steroid shot because of the aggravation, the case is recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have an employee who normally work seven 8 hour days each week. As a result of an injury the employee was limited to working five 8 hour days per week. Would this be a lost workday case since he was still able to work 40 hours per week?

**ANSWER**

Yes. You must count each overtime day missed as a day of away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a worker is stung by a bee and has to go to the doctor due to swelling is it considered an OSHA recordable.

**ANSWER**

The case is recordable if the injury requires one or more of the following; medical treatment beyond first aid (e.g. prescription medication); restricted work activity; job transfer; or days away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do I need to record a contractor injury on my company's 300 log or does the contractor company record it on their 300 logs?

**ANSWER**

You must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day-to-day basis. If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is there an Excel version of the new OSHA Form 300 available now? If so, is it located on your website to download?

**ANSWER**

Yes. An Excel version can be downloaded from <http://www.osha.gov/recordkeeping/RKforms.html>

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are there any OSHA regulations on what OSHA 300 Log information our company gives to our customers when they request our health and safety information?

**ANSWER**

If you decide to voluntarily disclose the Forms to persons other than government representatives, employees, former employees or authorized representatives you must remove or hide the employees' names and other personally identifying information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a local truck driver left his last stop and was heading home and had an accident and needed medical help other than first aid, would this be an OSHA recordable?

**ANSWER**

No. For OSHA recordkeeping purposes, an employee's normal commute from home to office and return would not be considered work-related. Therefore, any injury or illness occurring during this trip would not be recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the OSHA 300 log fall under the Health Insurance Portability and Accountability Act (HIPAA) to keep patient's medical information private and confidential?

**ANSWER**

No. Please see [http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=24898](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24898) for a detailed discussion.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee while in the work area and on duty threw a stapler at another employee and struck him in the head. The laceration required a few stitches. Would you consider this a recordable accident?

**ANSWER**

Yes. Cases involving workplace violence, horseplay etc. that occur in the work environment are considered to be work related. Since the employee got stitches, medical treatment beyond first aid, the case is recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our service utilizes volunteers as part of our work force. I need to know how to record an injury for a volunteer who does not receive any compensation, has been told to take three days off from work but has no regular scheduled shift or hours.

**ANSWER**

Only injuries to employees should be entered on the OSHA 300 log. Generally, unpaid volunteers are not considered employees under the OSH Act. If the volunteer is receiving some form of compensation (monetary or non-monetary) for services, then there may be an employer-employee relationship for the purposes of OSHA recordkeeping.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee chips a tooth that is a crown is this a recordable?

**ANSWER**

If an employee chips or breaks a tooth, it is a recordable case. If an employee chips or breaks a crown, it is a recordable case if it results in any of the following: medical treatment beyond first aid; restricted work activity; job transfer; loss of consciousness; or days away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is exposed to someone diagnosed with meningitis in their work place. The employee is provided antibiotics as a prophylaxis. Is this recordable?

**ANSWER**

No. To be recordable on the OSHA log and injury or illness must exist. Exposures without signs or symptoms of the illness are not recordable, even if medical treatment is administered.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee returns to work after being off with an injury, but only returns for a 4 hr. day instead of their normal 8 hr. day how is this counted?

**ANSWER**

This would be counted as days of restricted work activity because the employee is working a partial shift.

**SOURCE**

OSHA e-correspondence

**QUESTION**

While an employee is working in a modified position from a work related injury, he sustains another injury which results in further restrictions. Do I record days of modified duty on both cases or just on the second injury on the 300 log?

**ANSWER**

You would enter a new case and begin counting the calendar days for that case. You can stop the count on the first case. Do not double count the days on both cases.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee sustains an injury while on a paid break period, is the injury work-related?

**ANSWER**

Break or pay status does not determine the outcome for recordkeeping. If the employee experienced an injury or illness in the work environment it would be considered work-related unless one of the work-related exceptions applied.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee sustains a work related injury in 2002 and doesn't report it until 2003, which Log should the information be recorded on? Should it be recorded on the 2002 or the 2003 form?

**ANSWER**

The Injury or illness should be recorded in the year that the incident actually occurred. In this case 2002. You can go back and modify the log for that year and retain it in the files according to the retention regulations.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has been released by the doctor to "light duty", however, the employer cannot accommodate the restrictions (has no place for the employee to work) - is that recorded as "days away" or "restricted days" on the OSHA log?

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A doctor places an employee on restricted duty but the employer can not accommodate the restrictions and, as a result, the employee is losing time. Are the lost days recorded as lost time or restricted duty?

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are welding flash burns considered a recordable?

**ANSWER**

A welding flash burn is recordable if it involves one or more of the following: medical treatment beyond first aid, restricted work activity; job transfer; or days away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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**

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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is going to their car to obtain personal paperwork during her normal working hours. While walking to her car she trips and breaks her foot. Does this constitute a work related injury since she was conducting non-work related business at the time of the injury occurring?

**ANSWER**

The case is work-related and recordable. An injury or illness 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. The company parking lot is part of the work-environment. Retrieving personal property during work hours does not meet any of the exceptions to work-relatedness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We are a prime contractor that provides day-to-day-supervision to subcontractor workers. We record the injuries to these workers on our OSHA log. Do we include the man-hours of the subcontractor workers in with our numbers?

**ANSWER**

Yes. Your figure for hours worked should include the time for all workers whose injuries and illnesses are recordable on your log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an injured employee is given samples by a doctor but is not given a prescription is this considered medical treatment?

**ANSWER**

If the samples given are a prescription medication or are at prescription strength, then it is a medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does using a magnet to remove metallic particles from the eye constitute medical treatment?

**ANSWER**

Yes, using a magnet to remove metallic particles from the eye constitutes medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee presents a work status that indicates they are able to perform restricted work or light duty work yet we do not have work available that meets the restrictions, should we enter the number of days under "On Job Transfer or Restriction" or "Away from Work?"

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does OSHA require a separate record, other than on the 300 form, for needle sticks and exposures?

**ANSWER**

The employer can use the OSHA 300 to meet the bloodborne std requirements as long as you provide the type and brand of the device causing the sharps injury on the log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Would an incident be recordable if an employee was under the influence of drugs?

**ANSWER**

If the employee experienced a work-related injury or illness that meets one or more of the general recording criteria then the case must be recorded appropriately on the log. The fact that the employee was under the influence of drugs is not considered in the decision making process.

**SOURCE**

OSHA e-correspondence

**QUESTION**

On the 300 form do I only put recordable cases, or do I also put in accidents like small cuts and burns that did not need any medical attention besides band aids?

**ANSWER**

Only enter recordable cases on the OSHA Log. Do not enter cases that do not meet the recording criteria, such as first aid cases.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Will OSHA accept an electronic signature on the 300A Summary?

**ANSWER**

A electronic signature is acceptable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the use of Dermabond in repairing a laceration make it a recordable injury?

**ANSWER**

Yes, surgical glues, like Dermabond are considered medical treatment. Steri strips and butterfly bandages are the only wound closures considered first aid.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Sandy cut her finger. John helped Sandy and got her blood on his hands, which had open sores. We sent him to have some lab work done. At this point, is John's case an OSHA recordable?

**ANSWER**

No. If an employee is splashed or exposed to blood or other potentially infectious material without being cut or scratched, you need to record such an incident on the OSHA 300 Log if: It results in the diagnosis of a bloodborne illness, such as HIV, hepatitis B, or hepatitis C; or it meets one or more of the general recording criteria (medical treatment beyond first aid; days away from work; restricted work activity or job transfer).

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our company was purchased 11/25/03. I started a new OSHA log for the new company for December 2003. Do I need to post a summary for both the old and new company or just the new company?

**ANSWER**

You need to retain the old records and post the summary only for the new company covering the period of ownership.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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**

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).

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can OSHA Summary Form 300A be posted electronically (on our intranet website) to satisfy the Feb 1-Apr 30 posting requirement?

**ANSWER**

No. A paper copy of the Form 300A must be posted in a conspicuous place or places where notices to employees are customarily posted.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is injured in the year 2003 and is out of work into the year 2004...how do you record their lost work days/restricted duty days for the OSHA Log 2003?

**ANSWER**

You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is an injury resulting from workplace violence work-related recordable?

**ANSWER**

Yes. Injuries resulting from work-place violence are considered work-related.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an injury occurred in 2002 but days were lost in 2003, how would that be recorded?

**ANSWER**

You only record the injury or illness once on the log in the year which it occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have employees who go into client homes. We just had an employee exposed to Whooping Cough. It was suggested that they take antibiotics although they didn't exhibit symptoms. Do we need to record this case?

**ANSWER**

No. To be recordable on the OSHA log and injury or illness must exist. Exposures without signs or symptoms of the illness are not recordable, even if medical treatment is administered.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the OSHA Form 300A Summary page that was posted need to be submitted to OSHA directly as well as posted?

**ANSWER**

No. You should not mail your Form 300A to OSHA. Keep the form on file at your establishment for the 5 year retention period. You only need to submit your injury and illness information to OSHA or the BLS if asked to do so in writing.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee has his coat hanging over a chair at work and has a chicken sandwich in the pocket. The employee reaches into the pocket to get the sandwich and receives multiple fire ant bites on his hand. Is this work-related? Company policy is to disallow food being present at work except if it is kept in a locker or other container away from the work post.

**ANSWER**

Yes, this case is work related. 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 insect or animal bites or stings.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee receives a bee sting (or any other bug bite) at work and has an allergic reaction requiring prescription medication and/or days off work, is this considered a recordable injury?

**ANSWER**

Yes, this is a recordable injury. The bee sting is considered a work related injury because it occurred within the work environment. The prescription medication/days away make the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If someone is placed on job transfer or restricted duty, and you can accommodate this light duty only a few days a week, are the other days automatically considered days away from work?

**ANSWER**

Yes, if you can only accommodate this light duty for a few days a week, the other days are considered days away from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

One of our vendors is the nightly cleaning crew. Recently, one of the vendor's employees injured themselves while using our elevator and broke some bones in his finger. Is this a OSHA recordable injury? We are unsure due to the fact that he is employed by a vendor but is performing the duties and responsibilities of our work environment.

**ANSWER**

You must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day to day basis. If the vendor provides the day-to-day supervision of the worker, the case would go on the vendor's OSHA log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am completing the OSHA form 300A and need clarification on estimating total hours worked. Is there a standard number of hours employers should use for number of hours worked if the employer does not track vacation, sick days, holidays, etc. for each employee?

**ANSWER**

2,000 hours is the standard number of hours a full-time worker works. This is based on 50 weeks worked (on average two weeks vacation) a year and a 40 hour work week.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How would you determine the number of days on restricted work activity if the employee does not return for follow-up medical and therefore is never officially released for full-duty?

**ANSWER**

If the initial medical visit indicated a specific time frame for restricted days, use that as your day count. If it did not, but it did have a specified date for a follow-up visit, you can end the count using that date. If neither of these exist, give your best estimate on how much time the employee needed to recuperate or use the date the employee actually returned to full-duty.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I count days away from work for an employee who works on an as-needed/as available basis? She has been incapacitated due to on-the-job injury since mid-September, which totals approximately eighty calendar days. However, had she been able to work, the employee would probably have worked only about ten days.

**ANSWER**

You must count the number of calendar days the employee is unable to work, regardless of schedule. In this case, enter 80 days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has a back injury in March and then again in September of the same year, can they be combined as one case?

**ANSWER**

The September injury should be evaluated as a new case if the employee recovered completely (all signs and symptoms had disappeared) from the previous injury and an event or exposure in the work environment caused the signs or symptoms to reappear. If the signs and symptoms of the original case persisted, you can evaluate this as one case.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How should I document an exposure to poison ivy, oak, sumac, etc..? Is this a recordable injury/illness that needs to be documented on my 300 forms? Some people can use over the counter medications, others need medical attention which usually includes injections and prescriptions.

**ANSWER**

Reactions to work-related exposure to poisonous plant are recordable if they require medical treatment beyond first aid, days away from work, restricted work activity or job transfer. The issuance of prescription medication would make this case recordable. The use of over-the-counter medication would not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee got something in his eye (dirt/dust) during the workday. At the end of the day the employee went home. During the evening the employee's eye became more irritated and he decided to seek medical attention the next morning before reporting to work. The doctor flushed the eye with saline solution and sent the employee back to work. The employee was away from work for 3 hours. Does this absence make the case recordable?

**ANSWER**

No. Time spent seeking medical treatment is not counted as restricted work activity if the employee otherwise was capable of performing all of their routine job functions.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We had a minor chemical spill in WV. As a precautionary measure, we instructed our employees to go to the hospital/emergency room to get their lungs checked out. No problems were found and treatment was necessary. Are these considered recordable?

**ANSWER**

No. To be recordable on the OSHA log and injury or illness must exist. Exposures without signs or symptoms of the illness are not recordable, even if medical treatment is administered. Also, visits to a physician or other licensed health care professional solely for observation or counseling is not considered medical treatment and does not make a case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How should I record an injury if the treating physician recommends modified / restricted duty for an employee, but the employer has no work to accommodate the employee's restrictions and therefore the employee must stay home?

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If we have multiple locations - do we keep the OSHA 300 log separately at each location or maintain one log at the main office?

**ANSWER**

You must keep a separate OSHA 300 Log for each establishment that is expected to be in operation for one year or longer.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a doctor gives an employee a sample of prescription strength medication, is it recordable?

**ANSWER**

Yes. Once a doctor prescribes or gives a prescription medication to an employee, the work-related injury is recordable. This includes the issuance of samples of prescription medication.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We are a government contractor whose employees are located in several different buildings on a large government site. Do I need to complete a separate Form 300 for each building where the employees are located? Or can I just complete one for all the employees and distribute and post accordingly?

**ANSWER**

You may treat a campus location as a single establishment and keep one log for that location.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a man is injured on my site while changing into clothes required for work, prior to the start of his shift, is this injury work related?

**ANSWER**

Injuries and illnesses occurring in the work environment are considered work-related. Punching in and out with a time clock (or signing in and out) does not affect the outcome for determining work-relatedness. This scenario does not meet the work-related exception for personal grooming because he was changing into the clothes that are required for work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do the case numbers on the log have to be sequential?

**ANSWER**

No. The employer may use any numbering system they choose. The only requirement is that each case number on the log is unique.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can an employer use a 3rd party (e.g. insurance company, accountant, private safety consultant) to complete and maintain the OSHA 300 log?

**ANSWER**

Employers may use 3rd parties to complete their injury and illness forms, but the employer is responsible for the content and accuracy of the forms. A company executive must certify that he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How long are companies required to maintain past OSHA 300 logs and related information?

**ANSWER**

You must save the OSHA 300 Log, the privacy case list (if one exists), the annual summary, and the OSHA 301 Incident Report forms for five (5) years following the end of the calendar year that these records cover.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are tick/insect bites to be recorded on the OSHA log?

**ANSWER**

Insect and animal bites that occur within the work environment are work-related injuries. If the injury requires medical treatment beyond first aid, days away from work, restricted work activity or job transfer, the case is recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was injured with a splinter in his finger and did not report the incident to his supervisor. Then finger became infected because the splinter was never removed. The employee reported the incident 5 days later and the splinter had to be surgically removed. Would this be considered a recordable case?

**ANSWER**

Yes. It is a work-related injury that resulted in medical treatment beyond first aid. The fact that the employee did not report the incident immediately or seek medical treatment immediately does affect the determination of recordability.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is injured on Monday; however he did not feel medical treatment was necessary. On Thursday the employee was sent to the doctor and returns to work the same day with restrictions. Is Thursday counted as the first day of restricted work activity?

**ANSWER**

Yes. You count Thursday as a day of restricted work activity because it is subsequent to the day of injury.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have completed the OSHA forms 300, and 300A. Do I need to send copies of these forms to OSHA? If so what address do I mail them to?

**ANSWER**

No, you are required to keep these forms on file at your establishment for five (5) years following the end of the calendar year that these records cover. You do not have to send the government your injury and illness data to unless you are asked in writing to do so by OSHA, the Bureau of Labor Statistics ( BLS), or a state agency operating under the authority of OSHA or the BLS.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is performing a work related duty, receives an injury requiring sutures to close, and is subsequently terminated for failing a post accident drug test. Is this case recordable?

**ANSWER**

Yes, this case is recordable. The injury is work related and required medical treatment. The fact that the employee failed the drug test is not considered in the decision making process.

**SOURCE**

OSHA e-correspondence

**QUESTION**

As a construction company we may have as many as 30 different job sites during a calendar year. Do I need to complete a separate 300 and 300A form for each?

**ANSWER**

No. If you have short-term establishments (i.e., establishments that will exist for less than a year) you do have to maintain a 300 log, however, you do not have to keep a separate OSHA 300 Log for each such establishment. You may keep one OSHA 300 Log that covers all of your short-term establishments.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee's injury is listed on the 300 log as a work related injury involving restricted work activity. The injury results in more than 180 days of restricted work activity. The days of restricted activity are recorded as 180. Later in the year, this injury requires surgical intervention and results in days away from work. Is it necessary to change the status of this case on the 300 log from days with restricted activity to days away from work?

**ANSWER**

Yes. The employer must check the box that reflects the most severe outcome associated with a given injury or illness. Since days away from work is a more severe outcome than restricted work the employer is required to remove the check initially placed in the box for job transfer or restriction and enter a check in the box for days away from work (column H). Employers are allowed to cap the number of days away and/or restricted work/job transfer when a case involves 180 calendar days. For purposes of recordability, the employer would enter 180 days in the "Job transfer or restriction" column and may also enter 1 day in the "Days away from work" column to prevent confusion or computer related problems.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee bumped his knee on machine guard door. Several days later went to the doctors due to swelling. During the visit the physician drains 3cc of fluid from the employee's knee. Is this recordable?

**ANSWER**

Yes. Draining fluids is considered medical treatment except for relieving pressure from a fingernail or toenail, or draining fluid from a blister.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Recently we had an employee that while working in her designated work area, was bitten by a spider. The employee was taken to the doctor where she was given a tetanus shot and an antibiotic prescription as preventative against an infection. She was given a full release the same day with absolutely no restrictions. Would this case be considered a recordable?

**ANSWER**

This is a recordable injury. The spider bite is work related because it occurred in the work environment. The administration of the antibiotic prescription makes the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the diagnosis by a physician of a chipped bone constitute a recordable injury as is a fractured bone?

**ANSWER**

Yes. Diagnosis of a work-related chipped bone is considered a significant injury and is a recordable case.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How would a company record an injury that was a result of a personal medical illness (diabetes)? The employee felt weak, started to faint, fell and broke their hip.

**ANSWER**

If an employee's pre-existing medical condition is the sole cause of the incident which results in a subsequent injury, this is not a work-related injury and is not recordable. However, if the work environment or work activities of the employee contributed to the employee's faintness, this would be a recordable injury.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an associate is injured and is released back to work with restrictions. Three days later that he doesn't want to come to work and calls his doctor stating he has knee pain and asks for a note from his doctor. The doctor then gives him 2 days off from work stating it is because of his work related knee injury. Is this considered a loss of time?

**ANSWER**

Yes, this would be considered "Days away from work" because a physician stated the employee needed two days off from work because of the work related knee injury.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do x-rays make a case recordable?

**ANSWER**

No. X-rays and other diagnostic procedures are not considered medical treatment and do not make a case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When a temporary person from an agency is injured while working in our plant do I have to record it on my OSHA log ?

**ANSWER**

You must record these injury on your log if you supervise the employee on a day to day basis.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have read in the record keeping regulation that the following are automatically recordable "significant injuries": cancer, chronic irreversible disease, a fracture or cracked bone, or a punctured eardrum. I am unclear if the following are recordable or not: carpal tunnel syndrome, torn tendons, laceration to eye.

**ANSWER**

Cancer, chronic irreversible disease, a fracture or cracked bone, or a punctured eardrum are the only conditions defined as "significant injuries". Carpal tunnel syndrome, torn tendons, or a laceration to the eye are recordable only if they meet the general recording criteria: medical treatment beyond first aid, days away from work, restricted work activity, job transfer, or loss of consciousness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Are we responsible to record injuries occurring from an auto accident when the employee is on their way to or from work?

**ANSWER**

You are not required to record injuries from an auto accident when the employee is commuting to or from work.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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?

**ANSWER**

If the arthritis is wholly caused by non-work factors, then it is not work-related and should not be recorded in the OSHA records.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have an employee who was injured on 9-13. He remained at work. On 9-14 he left work during the day to seek medical treatment. The doctor advised him that he was to remain off work until 9-18. It turns out that this employee was going to be laid off starting 9-15, as this was decided prior to this incident occurring. Would this be considered a days away case?

**ANSWER**

This is a recordable case involving restricted work activity. The employee was unable to complete the 9/14 shift. Days away are not recorded because the employee was laid off for reasons unrelated to the injury prior to days away occurring.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee suffers a work-related injury and the doctor returns him to work on restricted duty with no time lost. The employer cannot accommodate the work restrictions so the employee is sent home. Do we have to record this as a days away case?

**ANSWER**

Yes, this case needs to be recorded as "Days away from work" column (H). To classify a case as a restricted work activity case, the employer must have and offer restricted work activity to the injured or ill employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can we classify an incident as not work related because the employee didn't report it until several weeks later?

**ANSWER**

Timely reporting is not a criterion for deciding work-relationship. 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 it is considered work related regardless of being reported several weeks later.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When an injury is evaluated as not work related, can you take it off your OSHA 300 log as long as you keep the paperwork related to that injury stating it's not work related with the file?

**ANSWER**

Yes, during the storage period, you must update your stored OSHA 300 Logs to include newly discovered recordable injuries or illnesses and to show any changes that have occurred in the classification of previously recorded injuries and illnesses. If the description or outcome of a case changes, you must remove or line out the original entry and enter the new information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was injured and received first aid by a physician at a local hospital and was given a prescription for a pain killer "to be filled if necessary". Is this recordable?

**ANSWER**

Yes. Once a prescription is written, this is a recordable injury, even if the it was "fill as needed" and not filled.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Employers must record injuries and illnesses that occur to employees who are not on their payroll if they supervise these employees on a day-to-day basis. Define supervising work on a day-to-day basis.

**ANSWER**

The host employer must record the recordable injuries and illnesses of employees not on its payroll if it supervises them on a day to day basis. Day to day supervision occurs when "in addition to specifying the output, product or result to be accomplished by the person's work, the employer supervises the details, means, methods and processes by which the work is to be accomplished."

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the repair of a crown on a person's tooth qualify as "medical treatment" for recordkeeping purposes?

**ANSWER**

If an employee chips or breaks a crown, it is a recordable case if it results in any of the following: medical treatment beyond first aid; restricted work activity; job transfer; loss of consciousness; or days away from work. Repair of the crown itself is not considered medical treatment. However, if the employee requires prescription medications during the repair, the case would be recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have a facility where a temporary employee was injured. We do the supervision on a day-to-day basis and it has been entered on our 300 log. The injury has resulted in days away from work. How do I track the day count if the temp agency reassigns the worker to another employer?

**ANSWER**

You need to estimate the total number of calendar days you expect the employee would have been away from work and enter that count. If the temporary job would have ended prior to that time, you may end the count when the job ended.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A part time employee who works an average of 18 hours per week is injured. She is put on restrictions. Would I count each day that she has been on restrictions or just count 2-3 days per week because that's how many days she normally works?

**ANSWER**

You must count the number of calendar days the employee was restricted as a result of the injury, regardless of whether or not the employee was scheduled to work on those day(s).

**SOURCE**

OSHA e-correspondence

**QUESTION**

I cannot locate our 300A form completed for last year and I am in need of that document. Is there a way I can obtain a copy of my completed form from OSHA?

**ANSWER**

OSHA does not have copies of employers' 300 and 300A forms. OSHA requires employers to retain copies of the forms on site for a 5 year period. If you are unable to locate your forms, you should recreate the 300 and 300A forms as best as possible from medical and workers compensation records from that year.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have had several workers compensation claims this year. I appealed a few of them and won, therefore the claims were denied. Because they were denied, do I need to document these claims on my OSHA 300 form?

**ANSWER**

Workers' Compensation determinations do not impact OSHA recordability. The employer must evaluate each case using the OSHA recording criteria to determine if a case is recordable on the OSHA Form 300.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Upon returning to the office following his morning rounds, our employee felt a strange sensation on his shoulder and left side. He brushed his shirt with his hand and a spider fell to the floor. The employee was immediately sent to a nearby medical facility, for evaluation and treatment if necessary. The treating physician's examination did not reveal any indication of a spider bite where our employee thought he had been bitten. As a precaution, the treating physician administered antibiotics to our employee. Our employee never experienced any adverse reaction in the area of where he thought he was bitten. Is this recordable?

**ANSWER**

No. If there is no indication that an injury occurred, the case should not be recorded.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is the use of derma bond considered medical care beyond first aid?

**ANSWER**

Dermabond is a wound closure device and is considered medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

There was an injury that occurred in the workplace that involved horseplay. Is this OSHA work-related?

**ANSWER**

Yes. If an event occurs at work, the case is work-related unless it otherwise falls within an exception. There is no exemption for horseplay.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has arrived in the parking lot of our facility but has not clocked or signed in, and they trip and fall going from the automobile to the clock-in location and break a leg, is this recordable?

**ANSWER**

Yes, this is a recordable case. The parking lot is considered part of the establishment and thus the work environment. Punching in/out on a time clock does not determine work relatedness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee working with a pneumatic air gun was injured when the mechanical drive on the gun sheared. He was sent to medical, x-rays taken proved negative (no break or fracture to the arm) and was given a prescription for an anti-inflammatory drug to reduce wrist swelling. He was not placed off duty, and decided not to fill the prescription. He returned to work the same day. Is this accident an OSHA recordable injury?

**ANSWER**

Yes, this is a recordable case. Work-related injuries in which a healthcare professional issues a prescription are recordable, whether that prescription is filled or not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

There is a fight between two employees in a plant over a personal matter in the rest room and one is injured. Is this work related?

**ANSWER**

Yes. You must consider an injury 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 work-place violence or horseplay.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is given a prescription by the doctor, but does NOT use it, is it still considered medical treatment?

**ANSWER**

Yes, once the prescription medication is written by the physician it is considered medical treatment, even if the patient does not take the medication.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Any employee reported an injury - a broken hand. The employee had punched a wall at work out of frustration. Does this case meet the definition of work related and therefore must be recorded on the OSHA LOG?

**ANSWER**

This case is work related and recordable. There is no exception to work-relatedness for acts of violence or horseplay. There is an exception to work relatedness for injuries that are intentionally self inflicted, however it must be shown that the employee intended to hurt his hand when he lost his temper.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A supervisor was shouting at an employee. The employee felt stressed and his general doctor told him to take some time off from work. Is this an OSHA 300 recordable case?

**ANSWER**

Mental illnesses, such as depression or anxiety disorder, that have work-related stress as a contributing factor, are recordable if the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a mental illness that is work-related, and the case meets one or more of the general recording criteria.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is Dermabond (cyanoacrylate) considered first aid or Medical treatment when used in place of sutures in wound closure?

**ANSWER**

Dermabond is a surgical glue and is considered Medical Treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is an arm sling considered first aid (a non-rigid means of support)?

**ANSWER**

Yes. A non-rigid means of support is considered first aid.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee is in an auto accident while commuting to work in a company vehicle, is this work-related?

**ANSWER**

No. Injuries incurred while commuting from work to home or from home to work are not considered work related, even if the vehicle is a company vehicle.

**SOURCE**

OSHA e-correspondence

**QUESTION**

In the event that an employee has a known allergy (e.g. pet dander) and is exposed to the allergen in the work place, then wouldn't it be considered a new recordable event each time the employee had to administer injections or use a prescription inhaler?

**ANSWER**

Yes, each work related exposure resulting in symptoms requiring the prescription inhaler would be considered a new recordable case.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have an employee who was requested to come back to modified work but refused. As a result, we have terminated his employment. Is the time subsequent to his termination now considered "days away" that we need to document on the log?

**ANSWER**

No. You may count the days the employee would have needed to fully recuperate as days of restricted work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is terminated and then the next day he turned in paperwork for a worker's compensation claim. Do I need to record this claim on the OSHA log since he was no longer on the payroll? His doctor provided a note to allow him to return to work with restrictions.

**ANSWER**

If the illness or injury is considered to be work-related, you must record the injury or illness and estimate the number of days the employee would have been on work restriction. You would check column (I) "Job transfer or restriction" and estimate the number of days in Column (L).

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee injured his back while lifting up a piece of heavy pipe. After work was over he went to see his chiropractor. The chiropractor conducted a few manipulations on the employees back, and according to our employee, he was like new. Is chiropractic care considered medical treatment beyond first aid?

**ANSWER**

Yes, chiropractic treatment is considered medical treatment for recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee working at an office building slips and falls, suffering an injury that requires medical treatment. The incident occurred in the building lobby that is shared by multiple tenants and is maintained by the building owner. The employee had completed work for the day and left our company offices, taken the elevator down to the lobby, exited the elevator and slipped and fell. Is this work related?

**ANSWER**

No. Common areas of a shared office building are not considered part of the employer's work environment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee had an injury and went to the doctor and had an x-ray done but nothing was broken and no further treatment was provided, is this a recordable injury?

**ANSWER**

No. Diagnostic procedures, such as x-rays are not considered medical treatment.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee was placed on restricted work due to a work related injury for one month. During this one month period, the employee called in sick twice due to non-injury related reasons. Do I count these two absences in my number of "Restricted Days/Job Transfer" numbers on my OSHA 300 Form?

**ANSWER**

Yes. You must count the number of calendar days the employee was restricted as a result of the injury, regardless of whether or not the employee was scheduled to work on those day(s). Weekend days, holidays, vacation days or other days off are included in the total number of days recorded.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If we submit an workplace injury form to our WC carrier and the injury is DENIED as a workers' comp injury by our carrier, do we still count that injury on our 300 form or do we disregard it?

**ANSWER**

When an injury or illness occurs to an employee, the employer must independently analyze the case in light of both the OSHA recording criteria and the requirements of the State workers' compensation system to determine whether the case is recordable or compensable, or both. Your case must be judged by the criteria of the OSHA recordkeeping rule to determine if it should be placed on the 300 Log. Workers Compensation is not a consideration of whether the case is OSHA recordable or not.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Can an employer who has fixed locations in most of the states in the continental United States retain Form 301 in a "central location" (like their main office) and just post a notice at the site indicating where these forms are being stored?

**ANSWER**

Yes, you may keep the records for an establishment at your headquarters or other central location if you can: (i) Transmit information about the injuries and illnesses from the establishment to the central location within seven (7) calendar days of receiving information that a recordable injury or illness has occurred; and (ii) Produce and send the records from the central location to the establishment within the time frames required by Section 1904.35 and Section 1904.40 when you are required to provide records to a government representative, employees, former employees or employee representatives.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If the business has multiple locations can the injury & illness recording & reporting form 300 be kept as one large record at the main office or must a form be kept at each location?

**ANSWER**

You must have separate records that pertain to each establishment. You may keep the records for an establishment at your headquarters or other central location if you can: (i) Transmit information about the injuries and illnesses from the establishment to the central location within seven (7) calendar days of receiving information that a recordable injury or illness has occurred; and (ii) Produce and send the records from the central location to the establishment within the time frames required by § 1904.35 and § 1904.40 when you are required to provide records to a government representative, employees, former employees or employee representatives.

**SOURCE**

OSHA e-correspondence

**QUESTION**

From time to time, emergency department employees encounter patients with suspected meningitis. As a result, the employee receives a prescription to reduce their chances of contracting meningitis. If the employee receives a prescription of antibiotics as a precaution and the final tests from the patient indicate no meningitis exposure, is this example a recordable illness?

**ANSWER**

No. To be recordable on the OSHA log and injury or illness must exist. Exposures without signs or symptoms of the illness are not recordable, even if medical treatment is administered.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee sees a doctor for a scratched eye that was already flushed by the on-site nurse. The doctor provides the employee with a sample bottle of prescription antibiotic eye drops. No prescription was written. Does this count as an OSHA recordable incident?

**ANSWER**

Yes. Once the sample medication was provided to the employee, the case became recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee arrived at work 45 minutes early one day and had a bug bite him on the finger. It turned a little red. The nurse wiped it off with an alcohol swab gave him some prescription antibiotic cream for one application. Is this an OSHA recordable case?

**ANSWER**

Yes. For purposes of OSHA recordkeeping injuries and illnesses occurring in the work environment are considered work-related. Punching in and out with a time clock (or signing in and out) does not affect the outcome for determining work-relatedness. The prescription antibiotic is considered medical treatment beyond first aid.

**SOURCE**

OSHA e-correspondence

**QUESTION**

A physician has diagnosed an employee with carpal tunnel syndrome. There has been no lost/restricted/transfer days or medical treatment beyond first aid. Does carpal tunnel in this case fall under 1904.7(b)(7) as a "significant injury or illness diagnosed by a physician"?

**ANSWER**

No. Carpal tunnel syndrome is not considered a significant injury or illness as defined under 1904.7(b)(7). Work-related CTS is recordable if it meets one or more of the general recording criteria (medical treatment beyond first aid; days away from work; restricted work activity; job transfer).

**SOURCE**

OSHA e-correspondence

**QUESTION**

If employees have a home office that they work from part or most of the time, are they required to complete the annual Form 300?

**ANSWER**

No, for employees who telecommute from home, the employee's home is not a business establishment and a separate 300 Log is not required. Recordable injuries and illnesses that occur at the employee's home should be recorded on the Log of the establishment the employee is linked to.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How many hours are allowed for management/supervisor/salaried employees in incident rate calculation?

**ANSWER**

There is no cap on the number of hours you may use. You should use the actual hours worked by the individuals. If you do not keep records on the hours worked by management, an estimate is acceptable. Generally, an individual that works 8 hours per day works 2000 hours per year (8 hours X 5 days X 50 weeks = 2000 hours).

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee died of a heart attack during working hours. He died while sitting in the lobby talking with a co-worker. The death was immediately reported to OSHA. The employee has a history of hypertension and high blood pressure. Is this case recordable?

**ANSWER**

If the case is wholly caused by non-work factors, then it is not work-related and will not be recorded in the OSHA records. If work contributed to the illness in some way, then it is work-related and must be evaluated for its recordability.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If there were no-work related injuries during the year, do I still need to prepare and post a 300-A with no entries on it?

**ANSWER**

Yes, you still must post the annual summary 300A and enter zeroes for the column totals.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do I need to submit the OSHA 300/300A form to you or just keep the 300A posted from Feb 1 - April 30? If I need to submit a copy to you please let me know where I need to send it.

**ANSWER**

You should not mail your Form 300 or 300A to OSHA. Keep the forms on file at your establishment for the 5 year retention period. You only need to submit your injury and illness information to OSHA or to the BLS if asked to do so in writing.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Six employees were returning to the office from a trade show that they were working at. They were involved in a traffic accident where the van they were riding in was struck by another car. Several of the employees required medical treatment. Would we need to record the 4 people that received medical treatment?

**ANSWER**

Yes. Because the employees were traveling in the interest of the employer, the accident is work related. The employees that required medical treatment must be recorded on the Log.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a large company is divided throughout many different buildings---are they required to have an OSHA 300 Form per building?

**ANSWER**

A campus location may keep a single log for the entire campus. If it is not a campus setting, a single log can be kept for multiple locations that are all located in close proximity to each other. For example, two buildings within a block of each other can have a single log. On the other hand, two buildings separated by a mile must have two separate logs.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do injuries requiring first aid only even though administered by a medical professional have to be recorded?

**ANSWER**

No injuries requiring first aid only do not need to be recorded even when these treatments are provided by a physician or other licensed health care professional.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Our company has experienced two minor injuries that resulted in a positive drug screen following our post accident testing program. Does the positive result have any bearing on the recordability of the injury?

**ANSWER**

No, the results of the drug test do not have a bearing on recordability of the case. A work-related injury or illness that meets one or more of the general recording criteria must be recorded appropriately on the log. There is no exception to work relationship for alcohol or drug impairment under 1904.5(b)(2).

**SOURCE**

OSHA e-correspondence

**QUESTION**

Is it necessary to fill out the OSHA 301 form when a First Report of Injury is filled out and submitted to our insurance company?

**ANSWER**

The worker's compensation form is sufficient if it is equivalent to the OSHA 301 form. An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many employers use an insurance form instead of the OSHA 301 Incident Report, or supplement an insurance form by adding any additional information required by OSHA.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee has both lost time and restricted duty, does the cap mean a total of both categories or 180 days for each category separately?

**ANSWER**

You may cap the day count when a combination of the two categories reaches 180 days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee sustained an allergic reaction to a mosquito bite and was given a steroid shot as medical treatment. Is this considered first aid treatment (and therefore not OSHA recordable), or is this considered a recordable incident?

**ANSWER**

A steroid injection is a prescription medication and is considered medical treatment. The case is recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

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**

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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee is hired from a local union hall for a short duration. If the employee suffers a lost time injury, but the job is finished days later and the employee is laid off due to a lack of work, does the employer have to continue counting the days away from work until the employee is returned to full duty status by the treating physician?

**ANSWER**

No. You may end the day count when the employee is laid off due to the end of the job.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When assigning Case Numbers on the OSHA Form 300, should the number sequence start over with the new year?

**ANSWER**

When assigning case numbers, the only requirement is that each case number for a given year is unique. You may restart each year at "1" if you choose, it is at the discretion of the recordkeeper.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I have posted OSHA form 300A in our company break room. I have received new information about an accident that occurred on Dec 20 that will extend the restricted days to the full 180 max count. Do I need to fill out a new OSHA Form 300A or can I just update the current form that is posted?

**ANSWER**

You are not required to update the 300A Annual Summary, although you may update the form if you wish to do so. However, you must update the OSHA Form 300 to reflect the new information.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee of a company is commuting from home to a local worksite in a company vehicle and becomes involved in a motor vehicle accident that results in a fatality of the employee, does the accident get recorded on the OSHA 300 log?

**ANSWER**

No. Injuries incurred while commuting from work to home or from home to work are not considered work related, even if the vehicle is a company vehicle.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee with a work related injury goes to a chiropractor and receives an "adjustment" procedure, is this considered "medical treatment" under the recordkeeping requirements?

**ANSWER**

Yes, a chiropractic adjustment procedure is considered medical treatment for OSHA recordkeeping purposes.

**SOURCE**

OSHA e-correspondence

**QUESTION**

On the OSHA 300 form, there is a line at the bottom of the page that says Page Totals. If your OSHA 300 log is more than one page long, should those page totals be cumulative including totals from previous page?

**ANSWER**

The totals at the bottom of the page are meant to reflect the totals for the individual page. However, if a cumulative total better meets your needs, you may enter the cumulative total.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When an accident happens in one year, but the days away or days restricted continue through to the next year, do you have to record the injury on both years' 300 log?

**ANSWER**

No, you only record the injury or illness once. You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180 day cap.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We have multiple locations, in Iowa, West Virginia, and Alabama,. Are we required to maintain the OSHA recordkeeping forms at each of these locations?

**ANSWER**

Yes, you must keep a separate OSHA 300 Log for each establishment that is expected to be in operation for one year or longer. You may keep the records for an establishment at your headquarters or other central location if you can: (i) Transmit information about the injuries and illnesses from the establishment to the central location within seven (7) calendar days of receiving information that a recordable injury or illness has occurred; and (ii) Produce and send the records from the central location to the establishment within the time frames required by 1904.35 and 1904.40 when you are required to provide records to a government representative, employees, former employees or employee representatives.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Does the administration of oxygen in a hospital or by an EMT as a result of inhalation of smoke at the workplace during an accident count as medical treatment and, thus, OSHA recordable?

**ANSWER**

Yes. If the employee exposed to the smoke exhibits symptoms of an injury or illness, such as respiratory distress, the administration of oxygen makes the case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee slips on ice and falls, sustaining an injury. The slip/fall occurred in the parking lot where most of our employees - as well as employees of other employers occupying the same building - use to access the workspace we lease in the building. The parking lot is NOT owned by our company, and is not under our control. Is this recordable?

**ANSWER**

No. A parking area where the employer does not have control (such as a parking lot outside of a building shared by different employers, or a public parking area like those found at a mall or beneath a multi-employer office building) would not be considered part of the employers establishment (except for the owner of the building or mall), and therefore not a company parking lot for purposes of OSHA recordkeeping. This case is not considered work-related or recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

With regards to employee injury reporting and recording, how do I handle a case when an employee is injured at work and they refuse to get medical attention, however they call out for work for one or more days?

**ANSWER**

The employee's decision does not determine the outcome for recordability. Nor is a medical opinion required in this situation. The employer must make a good faith decision as to whether the employee needed the days away from work for recuperation or not and record appropriately.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If you have an injury at work and the employer pays for all the cost without turning this into workers compensation do you have to report the accident on the OSHA log?

**ANSWER**

If the injury meets the OSHA recording criteria, you must record it on the OSHA Log regardless of filing for workers compensation. OSHA's recordkeeping requirements and the workers compensation system are two independent systems.

**SOURCE**

OSHA e-correspondence

**QUESTION**

When you have an injury with both days away and restricted duty how do you determine which is more serious so you check the appropriate box on form 300?

**ANSWER**

You must always check Column H as the most serious outcome when it involves "days away".

**SOURCE**

OSHA e-correspondence

**QUESTION**

A corporation pays a licensed professional to offer massage on-site as an employee benefit. The employee chooses by their own to see the on-site professional. Because the work the employee does is physical, he benefits from the soft tissue therapy and uses the service as needed. When should an employee's condition be categorized as recordable upon receipt of the massage?

**ANSWER**

Massage therapy is considered first aid and is included as item M in the rule's first aid list. Massage therapy does not make a case recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee reports to his supervisor that he has been experiencing some neck pain for about 2 weeks, but did not report it because he felt he could work through it, and it would resolve itself. The employee is sent to the doctor on the day he reported the injury, and is placed on restricted duty for the remainder of that day, and can return to his regular job the next day. No medical treatment was provided. Is this case recordable?

**ANSWER**

This is a recordable case because it involved restricted work activity subsequent to the day of injury or onset of illness.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Do we need to record injuries caused due to sole negligence of third parties on work site?

**ANSWER**

Employer, employee, or third party fault is not a criterion for deciding work-relationship. 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.

**SOURCE**

OSHA e-correspondence

**QUESTION**

We share a large, high-rise building with other tenants. Our offices are on the 18-23 floor of a 35-story building. The bottom 2 floors of the building are common areas for all tenants and visitors, and not under our company's' direct control. An employee was entering the building common area, and fell just as they entered the door threshold. . The employee sustained some injuries, and medical treatment was given. Should we consider this common area as part of the " employers establishment"? Is this injury work related?

**ANSWER**

The common area of a shared building is not considered part of your work environment. This case is not considered work related and therefore not recordable.

**SOURCE**

OSHA e-correspondence

**QUESTION**

How do I calculate my recordable incidence rate if I have under 100 employees? Currently I take the number of incidence X 200,000 divided by Hours worked. Could I divide the 200,000 by the actual number of employees to ensure that I don't get a falsely bloated incidence rate?

**ANSWER**

The 200,000 hours in the formula represents the equivalent of 100 employees working 40 hours per week, 50 weeks per year, and provides the standard base for the incidence rates. This constant is used to calculate incidence rates per 100 FTE to show the relative level of injuries and illnesses among firms of different employment size groups. In other words, the constant divided by the Hours Worked figure normalizes your firm size so comparisons can be made. This holds true for establishments with less than 100 workers as well as establishment with more than 100 workers. You should not change the constant if you are going to compare your establishment incidence rate to the BLS industry rates.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If a worker is involved in a fatal injury on the work site is there a standard number of days away entered into the days away column (column K) on the OSHA log?

**ANSWER**

No. A fatality is recorded with a checkmark in column G of the log and no day count is entered in column K.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee with a recordable work related injury is released to restricted work but the level of restrictions results in no available modified work with the employer, is the time the employee remains out considered days away versus restricted work activity, or since they are released to work at a severely modified level where modified work is not available is it just counted as restricted time?

**ANSWER**

You must count the days as days away from work. To count days as restricted days, restricted work activity must be made available to the employee.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee out on 8 week maternity leave, visits the site during leave, to turn in some documents, trips and falls in the parking lot when leaving. The employee is not coming to work, is not leaving work, is not scheduled to work. There is no rule requiring the documents be turned in personally. They can be dropped off, mailed, messengered. Is this recordable?

**ANSWER**

Yes, she is on the premises in the capacity of an employee (not a member of the general public), therefore the case is considered work-related.

**SOURCE**

OSHA e-correspondence

**QUESTION**

If an employee obtains an injury at work and the next day on there scheduled day off calls the employer and requests to be seen by a doctor and the doctor says they can return to full duty their first scheduled day back to work is this an OSHA recordable injury? In this case the employee did not miss a scheduled day off.

**ANSWER**

You need to record a case of this type only if you receive information from a physician or other licensed health care professional indicating that the employee should not have worked, or should have performed only restricted work, during the scheduled time off. If so, you must record the injury or illness as a case with days away from work or restricted work, and enter the day counts, as appropriate.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee's normal shift is 6:00 PM to 2:30 AM. The employee starts his shift at 6:00PM on Monday and sustains a work-related injury at 12:30AM Tuesday. The injury results in the employee going to a physician who excuses the employee from work for Tuesday and allows the employee to return to work at 6:00 PM on Wednesday. Does this case involve days away or days of restricted work activity?

**ANSWER**

Days away from work and restricted work activity are determined by calendar days, not shifts. Because the employee was injured Tuesday and returned to work Wednesday, there are no days away involved in this scenario. However, because the employee was unable to work part of his shift on Wednesday (12:00 AM to 2:30AM), it does entail a day of restricted work activity.

**SOURCE**

OSHA e-correspondence

**QUESTION**

I am working on form 300 and have an employee who was injured in 2009. He was off work all of 2010 due to surgery, physical therapy, and complications. Do I record the case on the 2009, 2010 and 2011 Logs?

**ANSWER**

You are only required to record the case on the 300 log in the year the work-related injury or illness resulted in the recording criteria. Your case in question should only be entered in 2009 log and you may stop the days away count at 180 days.

**SOURCE**

OSHA e-correspondence

**QUESTION**

An employee's job profile is lifting/moving boxes up to 20lbs. One day he hurt his back at work. The employee was assigned to folding corner pads for days till his back got rested and was moved to his regular job duties. Is this recordable?

**ANSWER**

Yes. This case involves job transfer. You must enter a check mark in column "I" and enter 4 days in column L.

**SOURCE**

OSHA e-correspondence

**QUESTION**

Why are employers required to keep records of work-related injuries and illnesses?

**ANSWER**

The OSH Act of 1970 requires the Secretary of Labor to produce regulations that require employers to keep records of occupational deaths, injuries, and illnesses. The records are used for several purposes. Injury and illness statistics are used by OSHA. OSHA collects data through the OSHA Data Initiative (ODI) to help direct its programs and measure its own performance. Inspectors also use the data during inspections to help direct their efforts to the hazards that are hurting workers. The records are also used by employers and employees to implement safety and health programs at individual workplaces. Analysis of the data is a widely recognized method for discovering workplace safety and health problems and for tracking progress in solving those problems. The records provide the base data for the BLS Annual Survey of Occupational Injuries and Illnesses, the Nation's primary source of occupational injury and illness data.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

<b>QUESTION</b>
What is the effect of workers' compensation reports on the OSHA records?
<b>ANSWER</b>
The purpose section of the rule includes a note to make it clear that recording an injury or illness neither affects a person's entitlement to workers' compensation nor proves a violation of an OSHA rule. The rules for compensability under workers' compensation differ from state to state and do not have any effect on whether or not a case needs to be recorded on the OSHA 300 Log. Many cases will be OSHA recordable and compensable under workers' compensation. However, some cases will be compensable but not OSHA recordable, and some cases will be OSHA recordable but not compensable under workers' compensation.
<b>SOURCE</b>
OSHA CPL 02-00-135 (FAQs)

<b>QUESTION</b>
How can I get help to find my SIC Code and determine if I'm partially exempt from the recordkeeping rule.
<b>ANSWER</b>
You can access the statistics section of OSHA's internet home page, at <a href="http://www.osha.gov/oshstats/">http://www.osha.gov/oshstats/</a> . Go to the website and choose SIC Manual and follow the directions. If you still cannot determine your SIC code, you can call an OSHA area office, or, if you are in a state with an OSHA-approved state plan, call your State Plan office. OSHA Office Directory
<b>SOURCE</b>
OSHA CPL 02-00-135 (FAQs)

<b>QUESTION</b>
Do States with OSHA-approved State plans have the same industry exemptions as Federal OSHA?
<b>ANSWER</b>
States with OSHA-approved plans may require employers to keep records for the State, even though those employers are within an industry exempted by the Federal rule.
<b>SOURCE</b>
OSHA CPL 02-00-135 (FAQs)

<b>QUESTION</b>
Do professional sports teams qualify for the partial industry exemption in section 1904.2?
<b>ANSWER</b>
No. Only those industry classifications listed in Appendix A to Subpart B qualify for the partial industry exemption in section 1904.2. Professional sports teams are classified under Standard Industrial Classification (SIC) code 794, which is not one of the listed exempt classifications.
<b>SOURCE</b>
OSHA CPL 02-00-135 (FAQs)

<b>QUESTION</b>
Does an employee report of an injury or illness establish the existence of the injury or illness for recordkeeping purposes?
<b>ANSWER</b>
No. In determining whether a case is recordable, the employer must first decide whether an injury or illness, as defined by the rule, has occurred. If the employer is uncertain about whether an injury or illness has occurred, the employer may refer the employee to a physician or other health care professional for evaluation and may consider the health care professional's opinion in determining whether an injury or illness exists. [Note: If a physician or other licensed health care professional diagnoses a significant injury or illness within the meaning of §1904.7(b)(7) and the employer determines that the case is work-related, the case must be recorded.]
<b>SOURCE</b>
OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If a maintenance employee is cleaning the parking lot or an access road and is injured as a result, is the case work-related?

**ANSWER**

Yes, the case is work-related because the employee is injured as a result of conducting company business in the work environment. If the injury meets the general recording criteria of Section 1904.7 (death, days away, etc.), the case must be recorded.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Are cases of workplace violence considered work-related under the new Recordkeeping rule?

**ANSWER**

The Recordkeeping rule contains no general exception, for purposes of determining work-relationship, for cases involving acts of violence in the work environment. However, some cases involving violent acts might be included within one of the exceptions listed in section 1904.5(b)(2). For example, if an employee arrives at work early to use a company conference room for a civic club meeting and is injured by some violent act, the case would not be work-related under the exception in section 1904.5(b)(2)(v).

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

What activities are considered "personal grooming" for purposes of the exception to the geographic presumption of work-relatedness in section 1904.5(b)(2)(vi)?

**ANSWER**

Personal grooming activities are activities directly related to personal hygiene, such as combing and drying hair, brushing teeth, clipping fingernails and the like. Bathing or showering at the workplace when necessary because of an exposure to a substance at work is not within the personal grooming exception in section 1904.5(b)(2)(vi). Thus, if an employee slips and falls while showering at work to remove a contaminant to which he has been exposed at work, and sustains an injury that meets one of the general recording criteria listed in section 1904.7(b)(1), the case is recordable

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

What are "assigned working hours" for purposes of the exception to the geographic presumption in section 1904.5(b)(2)(v)?

**ANSWER**

"Assigned working hours," for purposes of section 1904.5(b)(2)(v), means those hours the employee is actually expected to work, including overtime.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

What are "personal tasks" for purposes of the exception to the geographic presumption in section 1904.5(b)(2)(v)?

**ANSWER**

"Personal tasks" for purposes of section 1904.5(b)(2)(v) are tasks that are unrelated to the employee's job. For example, if an employee uses a company break area to work on his child's science project, he is engaged in a personal task.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee stays at work after normal work hours to prepare for the next day's tasks and is injured, is the case work-related? For example, if an employee stays after work to prepare air-sampling pumps and is injured, is the case work-related?

**ANSWER**

A case is work-related any time an event or exposure in the work environment either causes or contributes to an injury or illness or significantly aggravates a pre-existing injury or illness, unless one of the exceptions in section 1904.5(b)(2) applies. The work environment includes the establishment and other locations where one or more employees are working or are present as a condition of their employment. The case in question would be work-related if the employee was injured as a result of an event or exposure at work, regardless of whether the injury occurred after normal work hours.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee voluntarily takes work home and is injured while working at home, is the case recordable?

**ANSWER**

No. Injuries and illnesses occurring in the home environment are only considered work-related if the employee is being paid or compensated for working at home and the injury or illness is directly related to the performance of the work rather than to the general home environment.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee's pre-existing medical condition causes an incident which results in a subsequent injury, is the case work-related? For example, if an employee suffers an epileptic seizure, falls, and breaks his arm, is the case covered by the exception in section 1904.5(b)(2)(ii)?

**ANSWER**

Neither the seizures nor the broken arm are recordable. Injuries and illnesses that result solely from non-work-related events or exposures are not recordable under the exception in section 1904.5(b)(2)(ii). Epileptic seizures are a symptom of a disease of non-occupational origin, and the fact that they occur at work does not make them work-related. Because epileptic seizures are not work-related, injuries resulting solely from the seizures, such as the broken arm in the case in question, are not recordable.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

This question involves the following sequence of events: Employee A drives to work, parks her car in the company parking lot and is walking across the lot when she is struck by a car driven by employee B, who is commuting to work. Both employees are seriously injured in the accident. Is either case work-related?

**ANSWER**

Neither employee's injuries are recordable. While the employee parking lot is part of the work environment under section 1904.5, injuries occurring there are not work-related if they meet the exception in section 1904.5(b)(2)(vii). Section 1904.5(b)(2)(vii) excepts injuries caused by motor vehicle accidents occurring on the company parking lot while the employee is commuting to and from work. In the case in question, both employees' injuries resulted from a motor vehicle accident in the company parking lot while the employees were commuting. Accordingly, the exception applies.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How does OSHA define a "company parking lot" for purposes of Recordkeeping?

**ANSWER**

Company parking lots are part of the employer's premises and therefore part of the establishment. These areas are under the control of the employer, i.e. those parking areas where the employer can limit access (such as parking lots limited to the employer's employees and visitors). On the other hand, a parking area where the employer does not have control (such as a parking lot outside of a building shared by different employers, or a public parking area like those found at a mall or beneath a multi-employer office building) would not be considered part of the employers establishment (except for the owner of the building or mall), and therefore not a company parking lot for purposes of OSHA recordkeeping.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

An employee experienced an injury or illness in the work environment before they had "clocked in" for the day. Is the case considered work related even if that employee was not officially "on the clock" for pay purposes?

**ANSWER**

Yes. For purposes of OSHA recordkeeping injuries and illnesses occurring in the work environment are considered work-related. Punching in and out with a time clock (or signing in and out) does not affect the outcome for determining work-relatedness. If the employee experienced a work-related injury or illness, and it meets one or more of the general recording criteria under section 1904.7, it must be entered on the employer's OSHA 300 log.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Is work-related stress recordable as a mental illness case?

**ANSWER**

Mental illnesses, such as depression or anxiety disorder, that have work-related stress as a contributing factor, are recordable if the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience (psychiatrist, psychologist, psychiatric nurse practitioner, etc.) stating that the employee has a mental illness that is work-related, and the case meets one or more of the general recording criteria. See sections 1904.5(b)(2)(ix) and 1904.7.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee dies or is injured or infected as a result of terrorist attacks, should it be recorded on the OSHA Injury and Illness Log? Should it be reported to OSHA?

**ANSWER**

Yes, injuries and illnesses that result from a terrorist event or exposure in the work environment are considered work-related for OSHA recordkeeping purposes. OSHA does not provide an exclusion for violence-related injury and illness cases, including injuries and illnesses resulting from terrorist attacks. Within eight (8) hours after the death of any employee from a work-related incident or the in-patient hospitalization of three or more employees as a result of a work-related incident, an employer must orally report the fatality/multiple hospitalization by telephone or in person to the OSHA Area office that is nearest to the site of the incident. An employer may also use the OSHA toll-free central telephone number, 1-800-321-OSHA (1-800-321-6742).

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How is an employer to determine whether an employee has "recovered completely" from a previous injury or illness such that a later injury or illness of the same type affecting the same part of the body resulting from an event or exposure at work is a "new case" under section 1904.6(a)(2)? If an employee's signs and symptoms disappear for a day and then resurface the next day, should the employer conclude that the later signs and symptoms represent a new case?

**ANSWER**

An employee has "recovered completely" from a previous injury or illness, for purposes of section 1904.6(a)(2), when he or she is fully healed or cured. The employer must use his best judgment based on factors such as the passage of time since the symptoms last occurred and the physical appearance of the affected part of the body. If the signs and symptoms of a previous injury disappear for a day only to reappear the following day, that is strong evidence the injury has not properly healed. The employer may, but is not required to, consult a physician or other licensed health care provider (PLHCP). Where the employer does consult a PLHCP to determine whether an employee has recovered completely from a prior injury or illness, it must follow the PLHCP's recommendation. In the event the employer receives recommendations from two or more PLHCPs, the employer may decide which recommendation is the most authoritative and record the case based on that recommendation.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

The old rule required the recording of all occupational illnesses, regardless of severity. For example, a work-related skin rash was recorded even if it didn't result in medical treatment. Does the rule still capture these minor illness cases?

**ANSWER**

No. Under the new rule, injuries and illnesses are recorded using the same criteria. As a result, some minor illness cases are no longer recordable. For example, a case of work-related skin rash is now recorded only if it results in days away from work, restricted work, transfer to another job, or medical treatment beyond first aid.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Does the size or degree of a burn determine recordability?

**ANSWER**

No, the size or degree of a work-related burn does not determine recordability. If a work-related first, second, or third degree burn results in one or more of the outcomes in section 1904.7 (days away, work restrictions, medical treatment, etc.), the case must be recorded.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee dies during surgery made necessary by a work-related injury or illness, is the case recordable? What if the surgery occurs weeks or months after the date of the injury or illness?

**ANSWER**

If an employee dies as a result of surgery or other complications following a work-related injury or illness, the case is recordable. If the underlying injury or illness was recorded prior to the employee's death, the employer must update the Log by lining out information on less severe outcomes, e.g., days away from work or restricted work, and checking the column indicating death.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

An employee hurts his or her left arm and is told by the doctor not to use the left arm for one week. The employee is able to perform all of his or her routine job functions using only the right arm (though at a slower pace and the employee is never required to use both arms to perform his or her job functions). Would this be considered restricted work?

**ANSWER**

No. If the employee is able to perform all of his or her routine job functions (activities the employee regularly performs at least once per week), the case does not involve restricted work. Loss of productivity is not considered restricted work.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Are surgical glues used to treat lacerations considered "first aid?"

**ANSWER**

No, surgical glue is a wound closing device. All wound closing devices except for butterfly and steri strips are by definition "medical treatment," because they are not included on the first aid list.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Item N on the first aid list is "drinking fluids for relief of heat stress." Does this include administering intravenous (IV) fluids?

**ANSWER**

No. Intravenous administration of fluids to treat work-related heat stress is medical treatment.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Is the use of a rigid finger guard considered first aid?

**ANSWER**

Yes, the use of finger guards is always first aid.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee who sustains a work-related injury requiring days away from work is terminated for drug use based on the results of a post-accident drug test, how is the case recorded? May the employer stop the day count upon termination of the employee for drug use under section 1904.7(b)(3) (viii)?

**ANSWER**

Under section 1904.7(b)(3)(viii), the employer may stop counting days away from work if an employee who is away from work because of an injury or illness leaves the company for some reason unrelated to the injury or illness, such as retirement or a plant closing. However, when the employer conducts a drug test based on the occurrence of an accident resulting in an injury at work and subsequently terminates the injured employee, the termination is related to the injury. Therefore, the employer must estimate the number of days that the employee would have been away from work due to the injury and enter that number on the 300 Log.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Once an employer has recorded a case involving days away from work, restricted work or medical treatment and the employee has returned to his regular work or has received the course of recommended medical treatment, is it permissible for the employer to delete the Log entry based on a physician's recommendation, made during a year-end review of the Log, that the days away from work, work restriction or medical treatment were not necessary?

**ANSWER**

The employer must make an initial decision about the need for days away from work, a work restriction, or medical treatment based on the information available, including any recommendation by a physician or other licensed health care professional. Where the employer receives contemporaneous recommendations from two or more physicians or other licensed health care professionals about the need for days away, a work restriction, or medical treatment, the employer may decide which recommendation is the most authoritative and record the case based on that recommendation. Once the days away from work or work restriction have occurred or medical treatment has been given, however, the employer may not delete the Log entry because of a physician's recommendation, based on a year-end review of the Log, that the days away, restriction or treatment were unnecessary.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If a physician or other licensed health care professional recommends medical treatment, days away from work or restricted work activity as a result of a work-related injury or illness can the employer decline to record the case based on a contemporaneous second provider's opinion that the recommended medical treatment, days away from work or work restriction are unnecessary, if the employer believes the second opinion is more authoritative?

**ANSWER**

Yes. However, once medical treatment is provided for a work-related injury or illness, or days away from work or work restriction have occurred, the case is recordable. If there are conflicting contemporaneous recommendations regarding medical treatment, or the need for days away from work or restricted work activity, but the medical treatment is not actually provided and no days away from work or days of work restriction have occurred, the employer may determine which recommendation is the most authoritative and record on that basis. In the case of prescription medications, OSHA considers that medical treatment is provided once a prescription is issued.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

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.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How long must a modification to a job last before it can be considered a permanent modification under section 1904.7(b)(4)(xi)?

**ANSWER**

Section 1904.7(b)(4)(xi) of the rule allows an employer to stop counting days of restricted work or transfer to another job if the restriction or transfer is made permanent. A permanent restriction or transfer is one that is expected to last for the remainder of the employee's career. Where the restriction or transfer is determined to be permanent at the time it is ordered, the employer must count at least one day of the restriction or transfer on the Log. If the employee whose work is restricted or who is transferred to another job is expected to return to his or her former job duties at a later date, the restriction or transfer is considered temporary rather than permanent.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee loses his arm in a work-related accident and can never return to his job, how is the case recorded? Is the day count capped at 180 days?

**ANSWER**

If an employee never returns to work following a work-related injury, the employer must check the "days away from work" column, and enter an estimate of the number of days the employee would have required to recuperate from the injury, up to 180 days.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee who routinely works ten hours a day is restricted from working more than eight hours following a work-related injury, is the case recordable?

**ANSWER**

Generally, the employer must record any case in which an employee's work is restricted because of a work-related injury. A work restriction, as defined in section 1904.7(b)(4)(i)(A), occurs when the employer keeps the employee from performing one or more routine functions of the job, or from working the full workday the employee would otherwise have been scheduled to work. The case in question is recordable if the employee would have worked 10 hours had he or she not been injured.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee is exposed to chlorine or some other substance at work and oxygen is administered as a precautionary measure, is the case recordable?

**ANSWER**

If oxygen is administered as a purely precautionary measure to an employee who does not exhibit any symptoms of an injury or illness, the case is not recordable. If the employee exposed to a substance exhibits symptoms of an injury or illness, the administration of oxygen makes the case recordable.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Is the employer subject to a citation for violating section 1904.7(b)(4) (viii) if an employee fails to follow a recommended work restriction?

**ANSWER**

Section 1904.7(b) (4)(viii) deals with the recordability of cases in which a physician or other health care professional has recommended a work restriction. The section also states that the employer "should ensure that the employee complies with the [recommended] restriction." This language is purely advisory and does not impose an enforceable duty upon employers to ensure that employees comply with the recommended restriction. [Note: In the absence of conflicting opinions from two or more health care professionals, the employer ordinarily must record the case if a health care professional recommends a work restriction involving the employee's routine job functions.]

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Are work-related cases involving chipped or broken teeth recordable?

**ANSWER**

Yes, under section 1904.7(b)(7), these cases are considered a significant injury or illness when diagnosed by a physician or other health care professional. As discussed in the preamble of the final rule, work-related fractures of bones or teeth are recognized as constituting significant diagnoses and, if the condition is work-related, are appropriately recorded at the time of initial diagnosis even if the case does not involve any of the other general recording criteria.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How would the employer record the change on the OSHA 300 Log for an injury or illness after the injured worker reached the cap of 180 days for restricted work and then was assigned to "days away from work"?

**ANSWER**

The employer must check the box that reflects the most severe outcome associated with a given injury or illness. The severity of any case decreases on the log from column G (Death) to column J (Other recordable case). Since days away from work is a more severe outcome than restricted work the employer is required to remove the check initially placed in the box for job transfer or restriction and enter a check in the box for days away from work (column H). Employers are allowed to cap the number of days away and/or restricted work/job transfer when a case involves 180 calendar days. For purposes of recordability, the employer would enter 180 days in the "Job transfer or restriction" column and may also enter 1 day in the "Days away from work" column to prevent confusion or computer related problems.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Does the employer have to record a work-related injury and illness, if an employee experiences minor musculoskeletal discomfort, the health care professional determines that the employee is fully able to perform all of his or her routine job functions, but the employer assigns a work restriction to the injured employee?

**ANSWER**

As set out in Chapter 2, I., F. of the Recordkeeping Policies and Procedures Manual (CPL 2-0.131) a case would not be recorded under section 1904.7(b)(4) if 1) the employee experiences minor musculoskeletal discomfort, and 2) a health care professional determines that the employee is fully able to perform all of his or her routine job functions, and 3) the employer assigns a work restriction to that employee for the purpose of preventing a more serious condition from developing. If a case is or becomes recordable under any other general recording criteria contained in section 1904.7, such as medical treatment beyond first aid, a case involving minor musculoskeletal discomfort would be recordable.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Are injuries and illnesses recordable if they occurred during employment, but were not discovered until after the injured or ill employee was terminated or retired?

**ANSWER**

These cases are recordable throughout the five year record retention and updating period contained in section 1904.33. The cases would be recorded on either the log of the year in which the injury or illness occurred or the last date of employment.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee leaves the company after experiencing a work-related injury or illness that results in days away from work and/or days of restricted work/job transfer how would an employer record the case?

**ANSWER**

If the employee leaves the company for some reason(s) unrelated to the injury or illness, section 1904.7(b)(3)(viii) of the rule allows the employer to stop counting days away from work or days of restriction/job transfer. In order to stop a count the employer must first have a count to stop. Thus, the employer must count at least one day away from work or day of restriction/job transfer on the OSHA 300 Log. If the employee leaves the company for some reason(s) related to the injury or illness, section 1904.7(b)(3)(viii) of the rule directs the employer to make an estimate of the count of days away from work or days of restriction/job transfer expected for the particular type of case.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee has an adverse reaction to a smallpox vaccination; is it recordable under OSHA's recordkeeping rule?

**ANSWER**

If an employee has an adverse reaction to a smallpox vaccination, the reaction is recordable if it is work related (see 29 CFR 1904.5) and meets the general recording criteria contained in 29 CFR 1904.7. A reaction caused by a smallpox vaccination is work related if the vaccination was necessary to enable the employee to perform his or her work duties. Such a reaction is work-related even though the employee was not required to receive it, if the vaccine was provided by the employer to protect the employee against exposure to smallpox in the work environment. For example, if a health care employer establishes a program to vaccinate employees who may be involved in treating people suffering from the effects of a smallpox outbreak, reactions to the vaccine would be work related. The same principle applies to adverse reactions among emergency response workers whose duties may cause them to be exposed to smallpox. The vaccinations in this circumstance are analogous to inoculations given to employees to immunize them from diseases to which they may be exposed to in the course of work-related overseas travel.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

An employee has a work-related shoulder injury resulting in days of restricted work activity. While working on restricted duty, the employee sustains a foot injury which results in a different work restriction. How would the employer record these cases?

**ANSWER**

For purposes of OSHA recordkeeping the employer would stop the count of the days of restricted work activity due to the first case, the shoulder injury, and enter the foot injury as a new case and record the number of restricted work days. If the restriction related to the second case, the foot injury, is lifted and the employee is still subject to the restriction related to their shoulder injury, the employer must resume the count of days of restricted work activity for that case.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

An employee is provided antibiotics for anthrax, although the employee does not test positive for exposure/infection. Is this a recordable event on the OSHA log?

**ANSWER**

No. A case must involve a death, injury, or illness to be recordable. A case involving an employee who does not test positive for exposure/infection would not be recordable because the employee is not injured or ill.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Can you clarify the relationship between the OSHA recordkeeping requirements and the requirements in the Bloodborne Pathogens standard to maintain a sharps injury log?

**ANSWER**

The OSHA Bloodborne Pathogens Standard states: "The requirement to establish and maintain a sharps injury log shall apply to any employer who is required to maintain a log of occupational injuries and illnesses under 29 CFR 1904." Therefore, if an employer is exempted from the OSHA recordkeeping rule, the employer does not have to maintain a sharps log. For example, dentists' offices and doctors' offices are not required to keep a sharps log after January 1, 2002.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Can I use the OSHA 300 Log to meet the Bloodborne Pathogen Standard's requirement for a sharps injury log?

**ANSWER**

Yes. You may use the 300 Log to meet the requirements of the sharps injury log provided you enter the type and brand of the device causing the sharps injury on the Log and you maintain your records in a way that segregates sharps injuries from other types of work-related injuries and illnesses, or allows sharps injuries to be easily separated.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee suffers a Standard Threshold Shift (STS) in only one ear, may the employer revise the baselines for both ears?

**ANSWER**

No. A Standard Threshold Shift, or STS, is defined in the occupational noise exposure standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram for that employee, of an average of 10 decibels (dB) or more at 2000, 3000, and 4000 hertz (Hz) in one or both ears. The employer is permitted only to revise the baseline in the ear where the employee suffered an STS change in hearing threshold.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Which baseline is used to determine if a recordable Standard Threshold Shift (STS) has occurred this year?

**ANSWER**

Employers should use the same baseline that they would use to comply with OSHA's Noise Standard, Part 1910.95. If the employer chose to revise an employee's baseline due to a previous STS, then the employer would use the same revised baseline when determining recordability under section 1904.10 of the recordkeeping regulation.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee experienced a recordable hearing loss case, where would the employer record the case on the OSHA 300 Log?

**ANSWER**

Prior to 2004, employers should record work-related hearing loss cases according to the instructions included with the Recordkeeping Forms. If the loss is associated with an event, such as acoustic trauma (e.g., an explosion), it would be recorded as an injury with a check mark in column (M)(1). If the loss is not an injury, it would be recorded as an illness, with a check mark in the all other illness column. Beginning in January 2004, employers must record all hearing loss cases in the separate hearing loss column (M)(5).

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

What rules must an employer ensure that a physician or other licensed health care professional use to make a determination that a hearing loss case is not work-related under section 1904.10(b)(6)?

**ANSWER**

Physician or other licensed health care professional (PLHCP) must follow the rules set out in 1904.5 to determine if the hearing loss is work-related. If an event or exposure in the work environment either caused or contributed to the hearing loss, or significantly aggravated a pre-existing hearing loss, the physician or licensed health care professional must consider the case to be work related. It is not necessary for work to be the sole cause, or the predominant cause, or even a substantial cause of the hearing loss; any contribution from work makes the case work-related. The employer is responsible for ensuring that the PLHCP applies the analysis in Section 1904.5 when evaluating work-related hearing loss, if the employer chooses to rely on the PLHCP's opinion in determining recordability.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How do I determine whether or not a case is an occupational injury or one of the occupational illness categories in Section M of the OSHA 300 Log?

**ANSWER**

The instructions that accompany the OSHA 300 Log contain examples of occupational injuries and the various types of occupational illnesses listed on the Log. If the case you are dealing with is on one of those lists, then check that injury or illness category. If the case you are dealing with is not listed, then you may check the injury or illness category that you believe best fits the circumstances of the case.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Does the employer decide if an injury or illness is a privacy concern case?

**ANSWER**

Yes. The employer must decide if a case is a privacy concern case, using 1904.29(b)(7), which lists the six types of injuries and illnesses the employer must consider privacy concern cases. If the case meets any of these criteria, the employer must consider it a privacy concern case. This is a complete list of all injury and illnesses considered privacy concern cases.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Under paragraph 1904.29(b)(9), the employer may use some discretion in describing a privacy concern case on the log so the employee cannot be identified. Can the employer also leave off the job title, date, or where the event occurred?

**ANSWER**

Yes. OSHA believes that this would be an unusual circumstance and that leaving this information off the log will rarely be needed. However, if the employer has reason to believe that the employee's name can be identified through this information, these fields can be left blank.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

May employers attach missing information to their accident investigation or workers' compensation forms to make them an acceptable substitute form for the OSHA 301 for recordkeeping purposes?

**ANSWER**

Yes, the employer may use a workers' compensation form or other form that does not contain all the required information, provided the form is supplemented to contain the missing information and the supplemented form is as readable and understandable as the OSHA 301 form and is completed using the same instructions as the OSHA 301 form.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employee reports an injury or illness and receives medical treatment this year, but states that the symptoms first arose at some unspecified date last year, on which year's log do I record the case?

**ANSWER**

Ordinarily, the case should be recorded on the Log for the year in which the injury or illness occurred. Where the date of injury or illness cannot be determined, the date the employee reported the symptoms or received treatment must be used. In the case in question, the injury or illness would be recorded on this year's Log because the employee cannot specify the date when the symptoms occurred.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Since the new system proposes to do away with the distinction between injuries and illnesses, is there guidance on how to classify cases to complete column M on the OSHA 300 Log?

**ANSWER**

An injury or illness is an abnormal condition or disorder. Employers should look at the examples of injuries and illnesses in the "Classifying Injuries and Classifying Illnesses" section of the Recordkeeping Forms Package for guidance. If still unsure about the classification, employers could use the longstanding distinction between injuries that result from instantaneous events or those from exposures in the work environment. Cases resulting from anything other than an instantaneous event or exposure are considered illnesses

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How is the term "supervised" in section 1904.31 defined for the purpose of determining whether the host employer must record the work-related injuries and illnesses of employees obtained from a temporary help service?

**ANSWER**

The host employer must record the recordable injuries and illnesses of employees not on its payroll if it supervises them on a day-to-day basis. Day-to-day supervision occurs when "in addition to specifying the output, product or result to be accomplished by the person's work, the employer supervises the details, means, methods and processes by which the work is to be accomplished."

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If a temporary personnel agency sends its employees to work in an establishment that is not required to keep OSHA records, does the agency have to record the recordable injuries and illnesses of these employees?

**ANSWER**

A temporary personnel agency need not record injuries and illnesses of those employees that are supervised on a day-to-day basis by another employer. The temporary personnel agency must record the recordable injuries and illnesses of those employees it supervises on a day to day basis, even if these employees perform work for an employer who is not covered by the recordkeeping rule.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How do I calculate the "total hours worked" on my annual summary when I have both hourly and temporary workers?

**ANSWER**

To calculate the total hours worked by all employees, include the hours worked by salaried, hourly, part-time and seasonal workers, as well as hours worked by other workers you supervise (e.g., workers supplied by a temporary help service). Do not include vacation, sick leave, holidays, or any other non-work time even if employees were paid for it. If your establishment keeps records of only the hours paid or if you have employees who are not paid by the hour, you must estimate the hours that the employees actually worked.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If an employer has no recordable cases for the year, is an OSHA 300-A, Annual Summary, still required to be completed, certified and posted?

**ANSWER**

Yes. After the end of the year, employers must review the Log to verify its accuracy, summarize the 300 Log information on the 300A summary form, and certify the summary (a company executive must sign the certification). This information must then be posted for three months, from February 1 to April 30.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

If employers electronically post the OSHA 300-A Summary of Work-related Injuries and Illnesses, are they in compliance with the posting requirements of 1904.32 (b) (5)?

**ANSWER**

No. The recordkeeping rule allows all forms to be kept on computer equipment or at an alternate location, as long as the employer can produce the data when needed. Section 1904.32 (b) (5), requires employers to post a copy of the Annual Summary in each establishment, where notices are normally posted [see 1903.2(a)], no later than February 1 of the year following the year covered by the records and kept in place until April 30. Only the OSHA 300-A Summary form should be posted.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How does an employer inform each employee on how he or she is to report an injury or illness?

**ANSWER**

Employers are required to let employees know how and when to report work-related injuries and illnesses. This means that the employer must set up a way for the employees to report work-related injuries and illnesses and tell its employees how to use it. The Recordkeeping rule does not specify how the employer must accomplish these objectives, so employers have flexibility to set up systems that are appropriate to their workplace. The size of the workforce, employee's language proficiency and literacy levels, the workplace culture, and other factors will determine what will be effective for any particular workplace.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Do I have to give my employees and their representative's access to the OSHA injury and illness records?

**ANSWER**

Yes, your employees, former employees, their personal representatives, and their authorized employee representatives have the right to access the OSHA 300 Log Form and the OSHA 300-A Summary Form. The employer must give the requester a copy of the OSHA 300 Form and the OSHA 300-A Form by the end of the next business day. In addition, employees and their representatives have the right to access the OSHA 301 Incident Form with some limitations, in section 1904.35(b)(2)(v)(B) of the recordkeeping regulation.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Do I have to follow these rules if my State has an OSHA-approved State Plan?

**ANSWER**

If your workplace is located in a State that operates an OSHA-approved State Plan, you must follow the regulations of the State. However, these States must adopt occupational injury and illness recording and reporting requirements that are substantially identical to the requirements in Part 1904. State Plan States must have the same requirements as Federal OSHA for determining which injuries and illnesses are recordable and how they are recorded.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How may state regulations differ from the Federal requirements?

**ANSWER**

For Part 1904 provisions other than recording and reporting, State requirements may be more stringent than or supplemental to the Federal requirements. For example, a State Plan could require employers to keep records for the State, even though those employers have 10 or fewer employees (1904.1) or are within an industry exempted by the Federal rule. A State Plan could also require employers to keep additional supplementary injury and illness information, require employers to report fatality and multiple hospitalization incidents within a shorter time frame than Federal OSHA does (1904.39), require other types of incidents to be reported as they occur, require hearing loss to be recorded at a lower threshold level during CY 2002 (1904.10(c)), or impose other requirements.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Are State and local government employers covered by this rule?

**ANSWER**

No, but they are covered under the equivalent State rule in States that operate OSHA-approved State Plans. State rules must cover these workplaces and require the recording and reporting of work-related injuries and illnesses.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

How can I find out if my State has an OSHA-approved plan?

**ANSWER**

The following States have OSHA-approved plans: Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Virgin Islands, Washington, and Wyoming. Connecticut, New Jersey, Illinois and New York have plans that cover State and local government employees only.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

When a work-related heart attack occurs in the workplace and the employee dies one or more days later, how should the case be reported to OSHA?

**ANSWER**

The employer must orally report a work-related fatality by telephone or in person to the OSHA Area Office nearest to the site of the incident. The employer must report the fatality within eight hours of the employee's death in cases where the death occurs within 30 days of the incident. The employer need not report a death occurring more than 30 days after a work-related incident.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

What is considered a "construction work zone" for purposes of section 1904.39(b)(3)?

**ANSWER**

A "construction work zone" for purposes of §1904.39(b)(3) is an area of a street or highway where construction activities are taking place, and is typically marked by signs, channeling devices, barriers, pavement markings and/or work vehicles. The work zone extend from the first warning sign or rotating/strobe lights on a vehicle to the "END ROAD WORK" sign or the last temporary traffic control device.

**SOURCE**

OSHA CPL 02-00-135 (FAQs)

**QUESTION**

Is the partial exemption for size based on the size of my entire company or on the size of an individual business establishment?

**ANSWER**

The partial exemption for size is based on the number of employees in the entire company.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I determine the size of my company to find out if I qualify for the partial exemption for size?

**ANSWER**

To determine if you are exempt because of size, you need to determine your company's peak employment during the last calendar year. If you had no more than 10 employees at any time in the last calendar year, your company qualifies for the partial exemption for size.

**SOURCE**

29 CFR 1904

**QUESTION**

Does the partial industry classification exemption apply only to business establishments in the retail, services, finance, insurance or real estate industries (SICs 52-89)?

**ANSWER**

Yes, business establishments classified in agriculture; mining; construction; manufacturing; transportation; communication, electric, gas, and sanitary services; or wholesale trade are not eligible for the partial industry classification exemption.

**SOURCE**

29 CFR 1904

**QUESTION**

Is the partial industry classification exemption based on the industry classification of my entire company or on the classification of individual business establishments operated by my company?

**ANSWER**

The partial industry classification exemption applies to individual business establishments. If a company has several business establishments engaged in different cases of business activities, some of the company's establishments may be required to keep records, while others may be exempt.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I handle a case if it is not obvious whether the precipitating event or exposure occurred in the work environment or occurred away from work?

**ANSWER**

In these situations you must evaluate the employee's work duties and environment to decide whether or not one or more events or exposures in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I decide whether an injury or illness is work-related if the employee is on travel status at the time the injury or illness occurs?

**ANSWER**

Injuries and illnesses that occur while an employee is on travel status are work-related if, at the time of the injury or illness, the employee was engaged in work activities "in the interest of the employer." Examples of such activities include travel to and from customer contacts, conducting job tasks, and entertaining or being entertained to transact, discuss, or promote business (work-related entrapment includes only entertainment activities being engaged in at the direction of the employer).

**SOURCE**

29 CFR 1904

**QUESTION**

How do I decide if a case is work-related when the employee is working at home?

**ANSWER**

Injuries and illnesses that occur while an employee is working at home, including work in a home office, will be considered work-related if the injury or illness occurs while the employee is performing work for pay or compensation in the home, and the injury or illness is directly related to the performance of work rather than to the general home environment or setting. For example, if an employee drops a of work documents and injures his or foot, the case is considered work-related. If an employer's fingernail is punctured by a needle from a sewing machine used to perform garment work at home, becomes infected and requires medical treatment, the injury is considered work-related. If an employee is injured because he or she trips on the family dog while rushing to answer a work phone call, the case is not considered work-related. If an employee working at home is electrocuted because of faulty home wiring, the injury is not considered work-related.

**SOURCE**

29 CFR 1904

**QUESTION**

When an employee experiences the signs or symptoms of a chronic work-related illness, do I need to consider each recurrence of signs or symptoms to be a new case?

**ANSWER**

No, for occupational illnesses where the signs or symptoms may recur or continue in the absence of an exposure in the workplace, the case must only be recorded once. Examples may include occupational cancer, asbestosis, byssinosis and silicosis.

**SOURCE**

29 CFR 1904

**QUESTION**

When an employee experiences the signs or symptoms of an injury or illness as a result of an event or exposure in the workplace, such as an episode asthma, must I treat the episode as a new case?

**ANSWER**

Yes, because the episode or recurrence was caused by an event or exposure in the workplace, the incident must be treated as a new case.

**SOURCE**

29 CFR 1904

**QUESTION**

May I rely on a physician or other licensed health care professional to determine whether a case is a new case or a recurrence of an old case?

**ANSWER**

You are not required to seek the advice of a physician or other licensed health care professional. However, if you do seek such advice, you must follow the physician or other licensed health care professional's recommendation about whether the case is a new case or a recurrence. If you receive recommendations from two or more physicians or other licensed health care professionals, you must make a decision as to which recommendation is the most authoritative (best documented, best reasoned, or most authoritative), and record the case based upon that recommendation.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a work-related injury or illness that results in the employee's death?

**ANSWER**

You must record an injury or illness that results in death by entering a check mark on the OSHA 300 Log in the space for cases resulting in death. You must also report any work-related fatality to OSHA within eight (8) hours, as required by § 1904.39.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a work-related injury or illness that results in days away from work?

**ANSWER**

When an injury or illness involves one or more days away, you must record the injury or illness on the OSHA 300 Log with a check mark in the space for cases involving days away and an entry of the number of calendar days away from work in the number of days column. If the employee is out for an extended period of time, you must enter an estimate of the days that the employee will be away, and update the day count when the actual number of days is known.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I count the day on which the injury occurred or the illness began?

**ANSWER**

No, you begin counting days away on the day after the injury occurred or the illness began.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I handle a case when a physician or other licensed health care professional recommends that the worker return to work but the employee stays at home anyway?

**ANSWER**

In this situation, you must end the count of days away from work on the date the physician and other licensed health care professional recommends that the employee return to work.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I count weekends, holidays, or other days the employee would not have worked anyway?

**ANSWER**

You must count the number of calendar days the employee was unable to work as a result of the injury or illness, regardless of whether or not the employee was scheduled to work on those day(s). Weekends days, holidays, vacation days or other days off are included in the total number of days recorded if the employee would not have been able to work on those days because of work-related injury and illness.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a case in which a worker is injured or become ill on a Friday and reports to work on a Monday, and was not scheduled to work on the weekend?

**ANSWER**

You need to record this case only if you received information from a physician or other licensed health care professional indicating that the employee should not have worked, or should have performed only restricted work, during the weekend. If so, you must record the injury or illness as a case with days away from work or restricted work, and enter the day counts, as appropriate.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a case in which a worker is injured or become ill on the day before scheduled time off such as a holiday, a planned vacation, or a temporary plant closing?

**ANSWER**

You need to record a case of this type only if you receive information from a physician or other health care professional indicating that the employee should not have worked, or should have performed only restricted work, during the scheduled time off. If so, you must record the injury or illness as a case with days away from work or restricted work, and enter the day counts, as appropriate.

**SOURCE**

29 CFR 1904

**QUESTION**

Is there a limit to the number of days away from work I must count?

**ANSWER**

Yes, you may "cap" the total days away at 180 calendar days. You are not required to keep track of the number of calendar days away from work if the injury or illness resulted in more than 180 calendar days away from work and/or days of job transfer or restriction. In such a case, entering 180 in the total days away column will be considered adequate.

**SOURCE**

29 CFR 1904

**QUESTION**

May I stop counting days if an employee who is away from work because of an injury or illness retires or leaves my company?

**ANSWER**

Yes, if the employee leaves your company for some reason unrelated to the injury or illness, such as retirement, a plant closing, or to take another job, you may stop counting days away from work or days of restriction/job transfer. If the employee leaves your company because of the injury or illness, you must estimate the total number of days away or days of restriction/job transfer and enter the day count on the 300 Log.

**SOURCE**

29 CFR 1904

**QUESTION**

If a case occurs in one year but result in days away during the next calendar year, do I record the case in both years?

**ANSWER**

No, you only record the injury or illness once. You must enter the number of calendar days away for the injury or illness on the OSHA 300 Log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use the number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a work-related injury or illness that results in restricted work or job transfer?

**ANSWER**

When a injury or illness involves restricted work or job transfer but does not involve death or days away from work, you must record the injury or illness on the OSHA 300 Log by placing a check mark in the space for job transfer or restriction and an entry of the number of restricted or transferred days in the restricted workdays column.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I decide if the injury or illness resulted in restricted work?

**ANSWER**

Restricted work occurs when, as the result of a work-related injury or illness: You keep the employee from performing one or more of the routine functions of his or her job, or from working the full workday that he or she would otherwise have been scheduled to work; or A physician or other licensed health care professional recommends that the employee not perform one or more of the routine functions of his or her job, or not work the full workday that he or she would otherwise have been scheduled to work.

**SOURCE**

29 CFR 1904

**QUESTION**

What is meant by "routine functions"?

**ANSWER**

For recordkeeping purposes, an employee's routine functions are those work activities the employee regularly performs at least once per week.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to record restricted work or job transfer if it applies only to the day on which the injury occurred or the illness began?

**ANSWER**

No, you do not have to record restricted work or job transfers if you, or the physician or another licensed health care professional, impose the restriction or transfer only for the day on which the injury occurred or the illness began.

**SOURCE**

29 CFR 1904

**QUESTION**

If you or a physician or other licensed health care professional recommends a work restriction, is the injury or illness automatically recordable as a "restricted work" case?

**ANSWER**

No, a recommended work restriction is recordable only if it affects one or more of the employee's routine job functions. To determine whether this is the case, you must evaluate the restriction in light of the routine functions of the injured or ill employee's job. If the restriction from you or the physician or other licensed health care professional keeps the employee from performing one or more of his or her routine job functions, or from working the full workday the injured or ill employee would otherwise have worked, the employee's work has been restricted and you must record the case.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record a case where the worker works only for a partial work shift because of a work-related injury or illness?

**ANSWER**

A partial day of work is recorded as a day of job transfer or restriction for recordkeeping purposes, except for the day on which the injury occurred or the illness began.

**SOURCE**

29 CFR 1904

**QUESTION**

If the injured or ill worker produces fewer goods or services than he or she would have produced prior to the injury or illness but otherwise perform all of the routine functions of his or her work, is the case considered a restricted work case?

**ANSWER**

No, the case is considered restricted work only if the worker does not perform all of the routine functions of his or her job or does not work the full shift that he or she would otherwise have worked.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I handle vague restriction from a physician or other licensed health care professional, such as that the employee engage only in "light duty" or "take it easy for a week"?

**ANSWER**

If you are not clear about the physician or other licensed health care professional's recommendation, you may ask that person whether the employee can do all of his or her routine job functions and work all of his or her normally assigned work shift. If the answer to both of these questions is "Yes," then the case does not involve a work restriction and does not have to be recorded as such. If the answer to one or both of these questions is "No," the case involves restricted work and must be recorded as a restricted work case. If you're unable to obtain this additional information from the physician or other licensed health care professional who recommended the restriction, record the injury or illness as a case involving restricted work.

**SOURCE**

29 CFR 1904

**QUESTION**

What do I do if a physician or other licensed health care professional recommends a job restriction meeting OSHA's definition, but the employee does all of his or her routine job functions anyway?

**ANSWER**

You must record the injury or illness on the OSHA 300 Log as a restricted work case. If a physician or other licensed health care professional recommends a job restriction, you should ensure that the employee complies with that restriction. If you receive recommendations from two or more physicians or other licensed health care professionals, you may make a decision as to which recommendation is the most authoritative, and record the case based upon that recommendation.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I decide if an injury or illness involved a transfer to another job?

**ANSWER**

If you assign an injured or ill employee to a job other than his or her regular job for part of the day, the case involves transfer to another job. Note: This does not include the day on which the injury or illness occurred.

**SOURCE**

29 CFR 1904

**QUESTION**

Are transfers to another job recorded in the same way as restricted work cases?

**ANSWER**

Yes, both job transfer and restricted work cases are recorded in the same box on the OSHA 300 Log. For example, if you assign, or a physician or other licensed health care professional recommends that you assign, an injured or ill worker to his or her routine job duties for part of the day and to another job for the rest of the day, the injury or illness involves a job transfer. You must record an injury or illness that involves a job transfer by placing a check in the box for the job transfer.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I count days of job transfer or restriction?

**ANSWER**

You count days of job transfer or restriction in the same way you count days away from work, using 1904.7(b)(3)(1) to (viii), above. The only difference is that, if you permanently assign the injured or ill employee to a job that has been modified or permanently changed in a manner that eliminates the routine functions the employee was restricted from performing, you may stop the day count when the modification or change is made permanent. You must count at least one day of restricted work or job transfer for such cases.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record an injury or illness that involves medical treatment beyond first aid?

**ANSWER**

If a work-related injury or illness results in medical treatment beyond first aid, you must record it on the OSHA 300 Log. If the injury or illness did not involve death, one or more days away from work, one or more days of restricted work, one or more days of job transfer, you enter a check mark in the box for cases where the employee received medical treatment but remained at work and was not transferred or restricted.

**SOURCE**

29 CFR 1904

**QUESTION**

What is the definition of medical treatment?

**ANSWER**

"Medical treatment" means the management and care of a patient to combat disease or disorder. For the purposes of Part 1904, medical treatment does not include: Visits to a physician or other licensed health care professional solely for observation or counseling; The conduct of diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes (e.g., eye drops to dilate pupils); or "First aid" as defined in paragraph (b)(5)(ii) of this section.

**SOURCE**

29 CFR 1904

**QUESTION**

What is "first aid"?

**ANSWER**

For the purposes of Part 1904, "first aid" means the following: Using a non-prescription medication at nonprescription strength for medications available in both prescription and non-prescription form, a recommendation by a physician or other licensed health care professional to use a non-prescription medication at prescription strength is considered medical treatment for recordkeeping purposes); Administering tetanus immunizations (other immunizations, such as Hepatitis B vaccine or rabies vaccine, are considered medical treatment); Cleaning, flushing or soaking wounds on the surface of the skin; Using wound covering such as bandages, Band-Aids, gauze pads, etc.; or using butterfly bandages or Steri-Strips (other wound closing devices such as sutures, staples, etc., are considered medical treatment); Using hot or cold therapy; Using any non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc. (devices with rigid stay or other systems designed to immobilize parts of the body are considered medical treatment for recordkeeping purposes); Using temporary immobilization devices while transporting an accident victim (e.g., splints, slings, neck collars, back boards, etc.); Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister; Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means; Using finger guards; Using massages (physical therapy or chiropractic treatment for recordkeeping purposes); or Drinking fluids for relief of heat stress.

**SOURCE**

29 CFR 1904

**QUESTION**

Does the professional status of the person providing the treatment have any effect on what is considered first aid or medical treatment?

**ANSWER**

No, OSHA considers the treatments listed in § 1904.7(b)(5)(ii) of this Part to be first aid regardless of the professional status of the person providing the treatment. Even when these treatments are provided by a physician or other licensed health care professional, they are considered first aid for the purposes of Part 1904. Similarly, OSHA considers treatment beyond first aid to be medical treatment even when it is provided by someone other than a physician or other licensed health care professional

**SOURCE**

29 CFR 1904

**QUESTION**

What if a physician or other licensed care professional recommends medical treatment but the employee does not follow the recommendation?

**ANSWER**

If a physician or other licensed health care professional recommend medical treatment, you should encourage the injured or ill employee to follow that recommendation. However, you must record the case even if the injured or ill employee does not follow the physician or other licensed health care professional's recommendation.

**SOURCE**

29 CFR 1904

**QUESTION**

Is every work-related injury or illness case involving a loss of consciousness recordable?

**ANSWER**

Yes, you must record a work-related injury or illness if the worker become unconscious, regardless of the length of time the employee remains unconscious.

**SOURCE**

29 CFR 1904

**QUESTION**

What is a "significant" diagnosed injury or illness that is recordable under the general criteria even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness?

**ANSWER**

Work-related cases involving cancer, chronic irreversible disease, a fractured or cracked bone, or a punctured eardrum must always be recorded under the general criteria at the time of diagnosis by a physician or other licensed health care professional.

**SOURCE**

29 CFR 1904

**QUESTION**

What does "other potentially infectious material" mean?

**ANSWER**

The term "other potentially infectious materials" is defined in the OSHA Bloodborne Pathogens standard at § 1910.1030(b). These materials include: Human bodily fluids, tissues and organs, and other materials infected with the HIV or hepatitis B (HBV) virus such as laboratory cultures or tissues from experimental animals.

**SOURCE**

29 CFR 1904

**QUESTION**

Does this mean that I must record all cuts, lacerations, punctures, and scratches?

**ANSWER**

No, you need to record cuts, lacerations, punctures, and scratches only if they are work-related and involve contamination with another person's blood or other potentially infectious material. If the cut laceration, or scratch involves a clean object, or a contaminant other than blood or other potentially infectious material, you need to record the case only if it meets one or more of the recording criteria in 1904.7.

**SOURCE**

29 CFR 1904

**QUESTION**

If I record an injury and the employee is later diagnosed with an infectious bloodborne disease, do I need to update the OSHA 300 Log?

**ANSWER**

Yes, you must update the classification of the case on the OSHA 300 Log if the case results in death, days away from work, restricted work, or job transfer. You must also update the description to identify the infectious disease and change the classification

**SOURCE**

29 CFR 1904

**QUESTION**

What if one of the employee is splashed or exposed to blood or other potentially infectious material without being cut or scratched?

**ANSWER**

Do I need to record this incident? You need to record such an incident on the OSHA 300 Log as an illness if: It results in the diagnosis of a bloodborne illness, such as HIV, hepatitis B, or hepatitis C; or It meets one or more of the recording criteria in § 1904.7.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I classify medical removal cases on the OSHA 300 Log?

**ANSWER**

You must enter each medical removal case on the OSHA 300 Log as either a case involving days away from work or a case involving restricted work activity, depending on how you decide to comply with the medical removal requirement. If the medical removal is the result of a chemical exposure, you must enter the case on the OSHA 300 Log by checking the "poisoning" column.

**SOURCE**

29 CFR 1904

**QUESTION**

Do all of OSHA's standards have medical removal provisions?

**ANSWER**

No, some OSHA standards, such as the standards covering bloodborne pathogens and noise, do not have medical removal provisions. Many OSHA standards that cover specific chemical substances have medical removal provisions. These standards include, but are not limited to, lead, cadmium, methylene chloride, formaldehyde, and benzene.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to record a case where I voluntarily removed the employee from exposure before the medical removal criteria in an OSHA standard are met?

**ANSWER**

No, if the case involves voluntary medical removal before the medical removal levels required by an OSHA standard, you do not need to record the case on the OSHA 300 Log.

**SOURCE**

29 CFR 1904

**QUESTION**

What is a Standard Threshold Shift?

**ANSWER**

A Standard Threshold Shift, or STS, is defined in the occupational noise exposure standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram for that employee, of an average of 10 decibels (dB) or more at 2000, 3000, and 4000 hertz (Hz) in one or both ears.

**SOURCE**

29 CFR 1904

**QUESTION**

May I adjust the current audiogram to reflect the effects of aging on hearing?

**ANSWER**

Yes. When you are determining whether an STS has occurred, you may age adjust the employee's current audiogram results by using Tables F-1 or F-2, as appropriate, in Appendix F of 29 CFR 1910.95. You may not use an age adjustment when determining whether the employee's total hearing level is 25 dB or more above audiometric zero.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to record the hearing loss if I am going to retest the employee's hearing?

**ANSWER**

No, if you retest the employee's hearing within 30 days of the first test, and the retest does not confirm the recordable STS, you are not required to record the hearing loss case on the OSHA 300 Log. If the retest confirms the recordable STS, you must record the hearing loss illness within seven (7) calendar days of the retest. If subsequent audiometric testing performed under the testing requirements of the § 1910.95 noise standard indicates that an STS is not persistent, you may erase or line-out the recorded entry.

**SOURCE**

29 CFR 1904

**QUESTION**

Are there any special rules for determining whether a hearing loss case is work-related?

**ANSWER**

No. You must use the rules in § 1904.5 to determine if the hearing loss is work-related. If an event or exposure in the work environment either caused or contributed to the hearing loss, or significantly aggravated a pre-existing hearing loss, you must consider the case to be work related.

**SOURCE**

29 CFR 1904

**QUESTION**

If a physician or other licensed health care professional determines the hearing loss is not work-related, do I still need to record the case?

**ANSWER**

If a physician or other licensed health care professional determines that the hearing loss is not work-related or has not been significantly aggravated by occupational noise exposure, you are not required to consider the case work-related or to record the case on the OSHA 300 Log.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have a record, on the Log, a positive TB skin result obtained at a pre-employment physical?

**ANSWER**

No, you do not have a record it because the employee was not occupationally exposed to a known case of active tuberculosis in your workplace.

**SOURCE**

29 CFR 1904

**QUESTION**

May I line-out or erase a recorded TB case if I obtain evidence that the case was not caused by occupational exposure?

**ANSWER**

Yes, you may line-out or erase the case from the Log under the following circumstances: The worker is living in a household with a person who has been diagnosed with active TB;The Public Health Department has identified the worker as a contact of an individual with a case of active TB unrelated to the workplace; orA medical investigation shows that the employee's infection was caused by exposure to TB away from work, or proves that the case was not related to the workplace TB exposure.

**SOURCE**

29 CFR 1904

**QUESTION**

How quickly must each injury or illness be recorded?

**ANSWER**

You must enter each recordable injury or illness on the OSHA 300 Log and 301 Incident Report within seven (7) calendar days of receiving information that a recordable injury or illness has occurred.

**SOURCE**

29 CFR 1904

**QUESTION**

What is an equivalent form?

**ANSWER**

An equivalent form is one that has the same information, is as readable and understandable, and is completed using the same instructions as the OSHA form it replaces. Many employers use an insurance form instead of the OSHA 301 Incident Report, or supplement an insurance form by adding any additional information required by OSHA.

**SOURCE**

29 CFR 1904

**QUESTION**

May I keep my records on a computer?

**ANSWER**

Yes, if the computer can produce equivalent forms when they are needed, as described under §§ 1904.35 and 1904.40, you may keep your records using the computer system.

**SOURCE**

29 CFR 1904

**QUESTION**

Are there situations where I do not put the employee's name on the forms for privacy reasons?

**ANSWER**

Yes, if you have a "privacy concern case," you may not enter the employee's name on the OSHA 300 Log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the OSHA 300 Log under § 1904.35(b)(2). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so:

**SOURCE**

29 CFR 1904

**QUESTION**

How do I determine if an injury or illness is a privacy concern case?

**ANSWER**

You must consider the following injuries or illnesses to be privacy concern cases: An injury or illness to an intimate body part or the reproductive system; An injury or illness resulting from a sexual assault; Mental illnesses; HIV infection, hepatitis, or tuberculosis; Needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (see § 1904.8 for definitions); and Other illnesses, if the employee voluntarily requests that his or her name not be entered on the log.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I need to keep OSHA injury and illness records for short-term establishments (i.e., establishments that will exist for less than a year)?

**ANSWER**

Yes, however, you do not have to keep a separate OSHA 300 Log for each such establishment. You may keep one OSHA 300 Log that covers all of your short-term establishments. You may also include the short-term establishments' recordable injuries and illnesses on an OSHA 300 Log that covers short-term establishments for individual company divisions or geographic regions.

**SOURCE**

29 CFR 1904

**QUESTION**

What must I do to protect employee privacy if I wish to provide access to the OSHA Forms 300 and 301 to persons other than government representatives, employees, former employees or authorized representatives?

**ANSWER**

If you decide to voluntarily disclose the Forms to persons other than government representatives, employees, former employees or authorized representatives (as required by §§ 1904.35 and 1904.40), you must remove or hide the employees' names and other personally identifying information, except for the following cases. You may disclose the Forms with personally identifying information only: to an auditor or consultant hired by the employer to evaluate the safety and health program; to the extent necessary for processing a claim for workers' compensation or other insurance benefits; or to a public health authority or law enforcement agency for uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required under Department of Health and Human Services Standards for Privacy of Individually Identifiable Health Information, 45 CFR 164.512.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I need to keep OSHA injury and illness records for short-term establishments (i.e., establishments that will exist for less than a year)?

**ANSWER**

Yes, however, you do not have to keep a separate OSHA 300 Log for each such establishment. You may keep one OSHA 300 Log that covers all of your short-term establishments. You may also include the short-term establishments' recordable injuries and illnesses on an OSHA 300 Log that covers short-term establishments for individual company divisions or geographic regions.

**SOURCE**

29 CFR 1904

**QUESTION**

May I keep the records for all of my establishments at my headquarters location or at some other central location?

**ANSWER**

Yes, you may keep the records for an establishment at your headquarters or other central location if you can: Transmit information about the injuries and illnesses from the establishment to the central location within seven (7) calendar days of receiving information that a recordable injury or illness has occurred; and Produce and send the records from the central location to the establishment within the time frames required by § 1904.35 and § 1904.40 when you are required to provide records to a government representative, employees, former employees or employee representative.

**SOURCE**

29 CFR 1904

**QUESTION**

Some of my employees work at several different locations or do not work at any of my establishments at all. How do I record cases for these employees?

**ANSWER**

You must link each of your employees with one of your establishments, for recordkeeping purposes. You must record the injury and illness on the OSHA 300 Log of the injured or ill employee's establishment, or on an OSHA 300 Log that covers that employee's short-term establishment.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I record an injury or illness when an employee of one of my establishments is injured or becomes ill while visiting or working at another of my establishments, or while working away from any of my establishments?

**ANSWER**

If the injury or illness occurs at one of your establishments, you must record the injury or illness on the OSHA 300 Log of the establishment at which the injury or illness occurred. If the employee is injured or becomes ill and is not at one of your establishments, you must record the case on the OSHA 300 Log at the establishment at which the employee normally works.

**SOURCE**

29 CFR 1904

**QUESTION**

If a self-employed person is injured or becomes ill while doing work at my business, do I need to record the injury or illness?

**ANSWER**

No, self-employed individuals are not covered by the OSH Act or this regulation.

**SOURCE**

29 CFR 1904

**QUESTION**

If I obtain employees from a temporary help service, employee leasing service, or personnel supply service, do I have to record an injury or illness occurring to one of those employees?

**ANSWER**

You must record these injuries and illnesses if you supervise these employees on a day-to-day basis.

**SOURCE**

29 CFR 1904

**QUESTION**

If an employee in my establishment is a contractor's employee, must I record an injury or illness occurring to that employee?

**ANSWER**

If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

**SOURCE**

29 CFR 1904

**QUESTION**

Must the personnel supply service, temporary help service, employee leasing service, or contractor also record the injuries or illnesses occurring to temporary, leased or contract employees that I supervise on a day-to-day basis?

**ANSWER**

No, you and the temporary help service, employee leasing service, personnel supply service, or contractor should coordinate your efforts to make sure that each injury and illness is recorded only once: either on your OSHA 300 Log (if you provide day-to-day supervision) or on the other employer's OSHA 300 Log (if that company provides day-to-day supervision).

**SOURCE**

29 CFR 1904

**QUESTION**

How extensively do I have to review the OSHA 300 Log entries at the end of the year?

**ANSWER**

You must review the entries as extensively as necessary to make sure that they are complete and correct.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I certify the annual summary?

**ANSWER**

A company executive must certify that he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete.

**SOURCE**

29 CFR 1904

**QUESTION**

Who is considered a company executive?

**ANSWER**

The company executive who certifies the log must be one of the following persons: An owner of the company (only if the company is a sole proprietorship or partnership); An officer of the corporation; The highest ranking company official working at the establishment; or The immediate supervisor of the highest ranking company official working at the establishment.

**SOURCE**

29 CFR 1904

**QUESTION**

How do I post the annual summary?

**ANSWER**

You must post a copy of the annual summary in each establishment in a conspicuous place or places where notices to employees are customarily posted. You must ensure that the posted annual summary is not altered, defaced or covered by other material.

**SOURCE**

29 CFR 1904

**QUESTION**

When do I have to post the annual summary?

**ANSWER**

You must post the summary no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to update the OSHA 300 Log during the five-year storage period?

**ANSWER**

Yes, during the storage period, you must update your stored OSHA 300 Logs to include newly discovered recordable injuries or illnesses and to show any changes that have occurred in the classification of previously recorded injuries and illnesses. If the description or outcome of a case changes, you must remove or line out the original entry and enter the new information

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to update the annual summary?

**ANSWER**

No, you are not required to update the annual summary, but you may do so if you wish.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to update the OSHA 301 Incident Reports?

**ANSWER**

No, you are not required to update the OSHA 301 Incident Reports, but you may do so if you wish.

**SOURCE**

29 CFR 1904

**QUESTION**

What must I do to make sure that employees report work-related injuries and illnesses to me?

**ANSWER**

You must set up a way for employees to report work-related injuries and illnesses promptly; and You must tell each employee how to report work-related injuries and illnesses to you.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to give my employees and their representatives access to the OSHA injury and illness records?

**ANSWER**

Yes, your employees, former employees, their personal representatives, and their authorized employee representatives have the right to access the OSHA injury and illness records, with some limitations.

**SOURCE**

29 CFR 1904

**QUESTION**

Who is an authorized employee representative?

**ANSWER**

An authorized employee representative is an authorized collective bargaining agent of employees.

**SOURCE**

29 CFR 1904

**QUESTION**

Who is a "personal representative" of an employee or former employee?

**ANSWER**

A personal representative is: Any person that the employee or former employee designates as such, in writing; or The legal representative of a deceased or legally incapacitated employee or former employee.

**SOURCE**

29 CFR 1904

**QUESTION**

If an employee or representative asks for access to the OSHA 300 Log, when do I have to provide it?

**ANSWER**

When an employee, former employee, personal representative, or authorized employee representative asks for copies of your current or stored OSHA 300 Log(s) for an establishment the employee or former employee has worked in, you must give the requester a copy of the relevant OSHA 300 Log(s) by the end of the next business day.

**SOURCE**

29 CFR 1904

**QUESTION**

May I remove the names of the employees or any other information from the OSHA 300 Log before I give copies to an employee, former employee, or employee representative?

**ANSWER**

No, you must leave the names on the 300 Log. However, to protect the privacy of injured and ill employees, you may not record the employee's name on the OSHA 300 Log for certain "privacy concern cases," as specified in paragraphs 1904.29(b)(6) through 1904.29(b)(9).

**SOURCE**

29 CFR 1904

**QUESTION**

If an employee or representative asks for access to the OSHA 301 Incident Report, when do I have to provide it?

**ANSWER**

When an employee, former employee, or personal representative asks for a copy of the OSHA 301 Incident Report describing an injury or illness to that employee or former employee, you must give the requester a copy of the OSHA 301 Incident Report containing that information by the end of the next business day.

**SOURCE**

29 CFR 1904

**QUESTION**

May I charge for the copies?

**ANSWER**

No, you may not charge for these copies the first time they are provided. However, if one of the designated persons asks for additional copies, you may assess a reasonable charge for retrieving and copying the records.

**SOURCE**

29 CFR 1904

**QUESTION**

Does every employer have to send data to OSHA?

**ANSWER**

No, each year, OSHA sends injury and illness survey forms to employers in certain industries. In any year, some employers will receive an OSHA survey form and others will not. You do not have to send injury and illness data to OSHA unless you receive a survey form.

**SOURCE**

29 CFR 1904

**QUESTION**

Does every employer have to send data to the BLS?

**ANSWER**

No, each year, the BLS sends injury and illness survey forms to randomly selected employers and uses the information to create the Nation's occupational injury and illness statistics. In any year, some employers will receive a BLS survey form and others will not. You do not have to send injury and illness data to the BLS unless you receive a survey form.

**SOURCE**

29 CFR 1904

**QUESTION**

If I get a survey form from the BLS, what do I have to do?

**ANSWER**

If you receive a Survey of Occupational Injuries and Illnesses Form from the Bureau of Labor Statistics (BLS), or a BLS designee, you must promptly complete the form and return it, following the instructions contained on the survey form.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to respond to a BLS survey form if I am normally exempt from keeping OSHA injury and illness records?

**ANSWER**

Yes, even if you are exempt from keeping injury and illness records under § 1904.1 to § 1904.3, the BLS may inform you in writing that it will be collecting injury and illness information from you in the coming year. If you receive such a letter, you must keep the injury and illness records required by § 1904.5 to § 1904.15 and make a survey report for the year covered by the survey.

**SOURCE**

29 CFR 1904

**QUESTION**

Do I have to answer the BLS survey form if I am located in a State-Plan State?

**ANSWER**

Yes, all employers who receive a survey form must respond to the survey, even those in State-Plan States.

**SOURCE**

29 CFR 1904