

OSHA Reporting and Recordkeeping Requirements: New Rules Effective January 1, 2015

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As of January 1, 2015, the Occupational Safety and Health Act (OSHA) requires employers to comply with new reporting and recordkeeping requirements. There are two major changes.

First, the Act has expanded the list of work related injuries that all covered employers must report. Employers must continue to report all work-related fatalities within 8 hours. However, under the new rules, employers must also report all work-related in-patient hospitalizations, amputations, and all losses of an eye within 24 hours. Previously, OSHA's regulations required an employer to report only work-related fatalities and in-patient hospitalizations of three or more employees. Under the new rules, even those entities that are otherwise exempt from maintaining injury and illness records are required to comply with the new severe injury and illness reporting requirements.

Second, the new rules update the list of industries that are not required to routinely keep OSHA injury and illness records. The new list is based on the North American Industry Classification System (NAICS), instead of the Standard Industrial Classification (SIC) codes and data from the Bureau of Labor Statistics (BLS) that was previously used. These industries have been exempted due to relatively low occupational injury and illness rates. The new rule also continues to maintain the exemption for any employer with 10 or fewer employees, regardless of their industry classification.

To make a required report, employers can call OSHA's toll free hotline (1-800-321-OSHA). In addition, OSHA has created a Web-based system for employers to report incidents electronically by use of an online form (that is still being developed). The online site for the reporting form is https://www.osha.gov/report_online/index.html.

"OSHA will now receive crucial reports of fatalities and severe work-related injuries and illnesses that will significantly enhance the agency's ability to target our resources to save lives and prevent further injury and illness. This new data will enable the agency to identify the workplaces where workers are at the greatest risk and target our compliance assistance and enforcement resources accordingly."

— *Assistant Secretary of Labor for Occupational Safety and Health, Dr. David Michaels*

In its press teleconference concerning the new rules, the Bureau of Labor Statistics reported that 4,405 workers were killed on the job in 2013. A transcript of the teleconference is located at <https://www.osha.gov/recordkeeping2014/OSHAReportingTeleconference.html>.

Employers should ensure that these new reporting requirements are clearly communicated to those at the company responsible for OSHA compliance. OSHA has created a wallet card with the new requirements. You can download it here. <https://www.osha.gov/Publications/OSHA3754.pdf>

Please contact the KRCL Employment Group with any questions you may have about the new OSHA requirements.

Related Attorneys

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