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**OSHA On-Site Consultation
1904 Recordkeeping Training**

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Ohio Bureau of Workers' Compensation

Presentation Handout

- This power-point presentation and the handout mentioned will be available on-line after the congress.

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Disclaimer

- This course is not designed to cover all aspects of the 1904 recordkeeping standard, but rather to review proper recordkeeping of occupational injuries and illnesses and common errors made by employers.

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OSHA's Site Specific Targeting(SST) Program

- Random targeting program based on employer DART rates
- Letters due out each March/April
- A letter from OSHA means your company is on the list for an inspection

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1904.4 – Recording Criteria

- Covered employers must record each fatality, injury or illness that:
 - Is work-related, and
 - Is a new case, and
 - Meets one or more of the criteria contained in sections 1904.7 through 1904.12.

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1904.5 – Work-Relatedness

- A case is considered work-related if an event or exposure in the work environment either caused or contributed to the resulting condition.
- A case is considered work-related if an event or exposure in the work environment *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.

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1904.5 – Significant Aggravation

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

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1904.5 – Exceptions

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

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1904.5 – Exceptions

- Personal tasks outside assigned working hours
- Personal grooming, self medication for non-work-related condition, or intentionally self-inflicted
- Motor vehicle accident in parking lot/access road during commute
- Common cold or flu
- Mental illness, unless employee voluntarily provides a medical opinion from a physician or licensed health care professional (PLHCP) having appropriate qualifications and experience that affirms work relatedness

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Parking Lot?

- Is the parking lot part of employers establishment?
- It depends
- Question 5-10. *How does OSHA define a "company parking lot" for purposes of Recordkeeping?*

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.**

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1904.6 – New Case

- A case is new if:
 - The employee has not previously experienced a recordable injury or illness of the same type that affects the same part of the body;
 - The employee previously experienced a recordable injury or illness of the same type that affects the same part of the body, but had recovered; completely and an event or exposure in the work environment caused the signs and symptoms to reappear.

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1904.6 – New Case

- If there is a medical opinion regarding resolution of a case, the employer must follow that opinion (can get a 2nd opinion – i.e. occupational doctor)
- If an exposure triggers the recurrence, it is a new case (e.g., asthma, rashes)
- If signs and symptoms recur even in the absence of exposure, it is not a new case (e.g., silicosis, tuberculosis, asbestosis)

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1904.7 – General Recording Criteria

- An injury or illness is recordable if it results in one or more of the following:
 - Death;
 - Days away from work;
 - Restricted work activity;
 - Transfer to another job;
 - Medical treatment beyond first aid;
 - Loss of consciousness;
 - Significant injury or illness diagnosed by a PLHCP.

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1904.7(b)(3) Days Away Cases

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

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1904.7(b)(3) – Days Away Cases

- Day counts (days away or days restricted)
 - Count the number of calendar days the employee was unable to work (include weekend days, holidays, vacation days, etc.)
 - Cap day count at 180 days away and/or days restricted
 - May stop day count if employee leaves company for a reason unrelated to the injury or illness
 - If a medical opinion exists, employer must follow that opinion

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1904.7(b)(4) - Restricted Work Cases

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

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1904.7(b)(4) – Restricted Work

- Restricted work activity occurs when:
 - An employee is kept from performing one or more routine functions (work activities the employee regularly performs at least once per week) of his or her job;
 - An employee is kept from working a full workday;
 - A PLHCP recommends either of the above.

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1904.7(b)(4) – Job Transfer

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

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1904.7(b)(5) – Medical Treatment

- Medical treatment is the management and care of a patient to combat disease or disorder.
- It does not include:
 - Visits to a PLHCP solely for observation or counseling;
 - Diagnostic procedures;
 - First aid.

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Handout Page 2

Keeping four things in mind:

1. No time off beyond first day of injury is recommended by physician;
2. No restrictions/transfers, which apply to the job, beyond the first day of injury are recommended by physician;
3. No single dose prescription medications are provided at health care facility;
4. No prescriptions are given to be filled by employee.

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1904.7(b)(5) – First Aid

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing, or soaking surface wounds
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Non-rigid means of support
- Temporary immobilization device used to transport accident victims (splints, slings, neck collars, gurney, etc.)

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1904.7(b)(5) – First Aid

- Drilling of fingernail or toenail, draining fluid from blister
- Eye patches
- Removing foreign bodies from eye using irrigation or cotton swab
- Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Finger guards
- Massages
- Drinking fluids for relief of heat stress

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1904.7(b)(6) – Loss of Consciousness

- All work-related cases involving loss of consciousness must be recorded

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Significant Injury or Illness Diagnosed by a PLHCP

- i.e. Occupational cancer, cracked/fractured bone/tooth, chronic irreversible disease, punctured ear drum, etc.

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Handout – Dave's Tips

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CPL 02-00-135

excerpt

- o "Section 1904.5(b)(3) states that if it is not obvious whether the precipitating event or exposure occurred in the work environment or elsewhere, the employer "must evaluate the employee's work duties and environment to decide whether or not one or more events or exposures in the work environment caused or contributed to the resulting condition or significantly aggravated a pre-existing condition." This means that the employer must make a determination whether it is more likely than not that work events or exposures were a cause of the injury or illness, or of a significant aggravation to a pre-existing condition. If the employer decides the case is not work-related, and OSHA subsequently issues a citation for failure to record, the Government would have the burden of proving that the injury or illness was work-related."

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1904.29 - Forms

- o OSHA Form 300, *Log of Work-Related Injuries and Illnesses*
- o OSHA Form 300A, *Summary of Work-Related Injuries and Illnesses*
- o OSHA Form 301, *Injury and Illness Incident Report*

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Handout Page 3 – OSHA log

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OSHA's Form 300

OSHA's Form 300 (Rev. 03/2004)

Log of Work-Related Injuries and Illnesses

Year 2007
U.S. Department of Labor
Occupational Safety and Health Administration

Establishment name: _____ State: Ohio
County: _____ City: _____

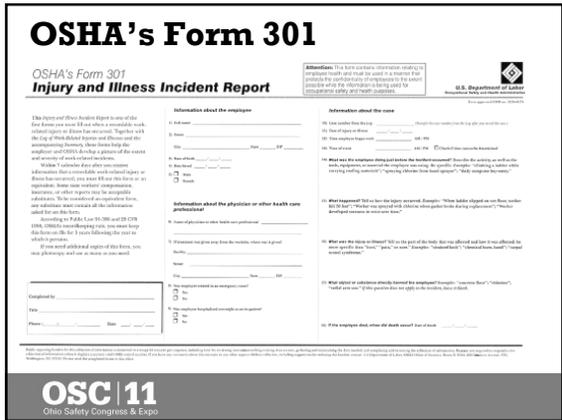
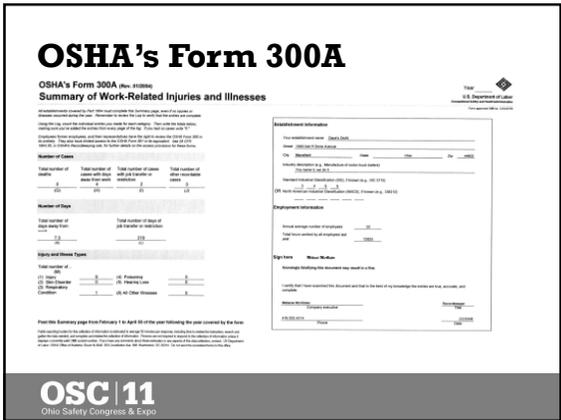
OSHA Form 300 - OSHA Form 300 is not to be used for recording injuries and illnesses that are not work-related.	Identify the person	Describe the case	Classify the case	Date the incident occurred	Days away from work		Job transfer or restriction		Medical treatment beyond first aid	Lost workdays due to this injury/illness (do not include days away from work)	Total number of days lost due to this injury/illness (do not include days away from work)
					Number of days	Number of days	Number of days	Number of days			
1	John Doe	Back strain	1001	01/15/07	3	0	0	0	0	3	
2	Jane Smith	Hand laceration	1002	02/01/07	1	0	0	0	0	1	
3	Mike Johnson	Head injury	1003	03/10/07	2	0	0	0	0	2	
4	Sarah Lee	Wrist sprain	1004	04/20/07	1	0	0	0	0	1	
5	David Kim	Shoulder injury	1005	05/05/07	4	0	0	0	0	4	
6	Emily White	Eye irritation	1006	06/12/07	0	0	0	0	0	0	
7	Chris Brown	Leg bruise	1007	07/01/07	0	0	0	0	0	0	
8	Alex Green	Hand burn	1008	08/15/07	0	0	0	0	0	0	
9	Michelle Black	Neck pain	1009	09/01/07	0	0	0	0	0	0	
10	Robert Gray	Hand fracture	1010	10/10/07	0	0	0	0	0	0	
11	Stephanie Blue	Hand laceration	1011	11/01/07	0	0	0	0	0	0	
12	Kevin Red	Hand laceration	1012	12/15/07	0	0	0	0	0	0	
Page total:					10	0	0	0	0	10	

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Handout Page 4 – OSHA 300A

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1904.29 - Forms

- Employers must enter each recordable case on the forms within seven calendar days of receiving information that a recordable case occurred.

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1904.29 - Forms

- An equivalent form has the same information, is as readable and understandable, and uses the same instructions as the OSHA form it replaces.
- Forms can be kept on a computer as long as they can be produced when they are needed (i.e., meet the access provisions of 1904.35 and 1904.40).

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Public Employers Governed under PERRP

- OSHA 300P, 300AP, and 301P forms as of July 2007
- Since 2005 PE's must submit OSHA 300AP information by February 1st of each year to PERRP
 - Either by mail
 - Or enter information online
 - Citation can be issued for failure to send data
- Form package available free online at www.ohioabc.com
 - Safety Services – PERRP – scroll down and click on Forms/Instructions
- 800.671.6858

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1904.31 – Covered Employees

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

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1904.33 – Retention and Updating

- Retain forms for five years following the year that they cover (current year plus previous five years)
- Update the OSHA Form 300 during that period
- Do not need to update the OSHA Form 300A or OSHA Form 301

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OSHA Website Navigation

- Open Explorer
- www.osha.gov
- <..\OSHA Recordkeeping NEW\OSHA home page demo.htm>

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For More Help

- www.osha.gov –
- Read the standard! 29 CFR 1904
- Compliance Directive CPL 2-0.131
- Regional recordkeeping coordinators

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Questions?

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BWC Programs

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Learn more about BWC's incentive programs and safety services by visiting us online at ohiobwc.com.

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