



Administrative Rules – Recording and Reporting of Occupational Injuries and Illnesses

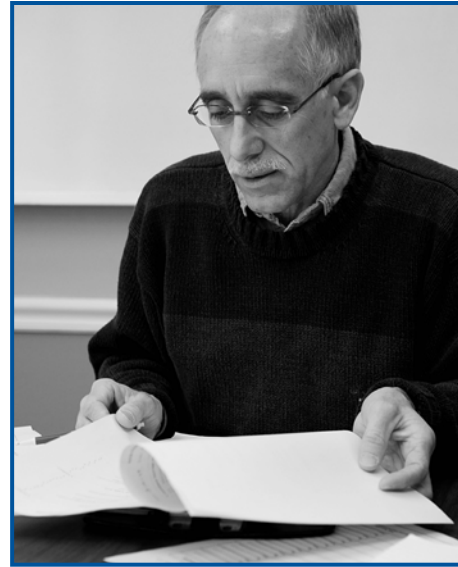
Record keeping and reporting by employers is required and appropriate for enforcement of the Occupational Health and Safety Act of 1970, for developing information regarding the causes and prevention of occupational accidents and illnesses, and for maintaining a program of collection, compilation, and analysis of occupational safety and health statistics. The applicable standard is under Title 29, Part 1904 of the Code of Federal Regulations.

You must record information on OSHA Form 300, *Log of Work-Related Injuries and Illnesses*, about the following incidents:

- Work-related death and injury.
- Illness or injury that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid.
- Significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional.
- Work-related injuries and illnesses that meet any of the specific recording criteria listed in Public Law 91-596 (Occupational Safety and Health Act of 1970) and the Indiana Department of Labor Rule for Recording and Reporting of Injuries and Illnesses.

According to the regulations, employers must consider an injury or illness to meet the general recording criteria, and therefore be recordable, if the following questions can be answered “Yes”:

1. Was the event work related?
2. Was the event a new case?
3. Did the event meet one or more of the general recording criteria of 29 CFR 1904.7 or the application to specific cases of 29 CFR 1904.8 through 29 CFR 1904.12?



Record Keeping Requirements

You must complete an *Injury and Illness Incident Report* (OSHA Form 301), or equivalent form, for each injury or illness recorded on OSHA Form 300. If you're not sure whether a case is recordable, call your local IOSHA office for help.

If your facility employed 11 or more persons at any given time during the calendar year, you are required to maintain the *Log of Work-Related Injuries and Illnesses* (OSHA Form 300) to classify work-related injuries and illnesses and to note the extent and severity of each case; a *Summary of Work-Related Injuries and Illnesses* (OSHA Form 300A), which shows the work-related injury and illness totals for the year; and the *Injury and Illness Incident Report* (OSHA Form 301), which is one of the first forms you must fill out when a recordable work-related injury or illness has occurred.

For a copy of these forms, call INSafe at (317) 232-2688 or visit the Web at www.osha.gov/recordkeeping/new-osha300form1-1-04.pdf.

If you have 10 or fewer employees and are notified that you have been selected to participate in the annual survey, you will have to maintain records for the period of time identified. Employers in one of the exempt low hazard industries as determined by your company Standard Industrial Classification (SIC) code are partially exempt from maintaining a log unless specifically asked to do so by the Indiana Department of Labor, Research and Statistics Division. For a complete list of exempt industries and SIC codes, visit <http://osha.gov/recordkeeping/ppt1/RK1exempttable.html>.

Determination of Work-Relatedness

Accordingly, employers 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 specifically applies.

Travel Status

How does an employer decide whether an injury or illness is work-related if the employee is on travel status at the time the injury or illness occurs? 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 entertainment includes only entertainment activities being engaged in at the direction of the employer).

Injuries or illnesses that occur when the employee is on travel status do not have to be recorded if they meet any of the exceptions.

Differentiating Between Occupational Injuries and Illnesses

Occupational injury is a result of a work accident or from an exposure involving a single incident in the work environment and includes cases such as, but not limited to, a cut, fracture, sprain, or amputation. Occupational illnesses include both acute and chronic illnesses such as, but not limited to, skin disease, respiratory disorder, or poisoning.

Note: Injuries and illnesses are recordable only if they are new, work-related cases that meet one or more of the recording criteria discussed earlier.

First Aid vs. Medical Treatment

Medical treatment is the management and care of a patient to combat disease or disorder. For the purposes of IOSHA record keeping and reporting of occupational injuries and illnesses, medical treatment does not include any of the following:

- Visits to a physician or other licensed health care professional solely for observation or counseling.
- Conducting diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes (e.g., drops to dilate pupils).
- Specific exemptions found in 29 CFR 1904.5(b)(2).

Free Technical Assistance

For assistance with occupational safety and health questions or to request free, professional on-site consultation services, contact a safety or health consultant with the Indiana Department of Labor's INSafe division by e-mailing insafe@dol.IN.gov or by calling (317) 232-2688. Visit INSafe's website at www.IN.gov/dol/insafe.htm for more information.

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