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OSHA CHANGES INJURY AND ILLNESS RECORDKEEPING LOG

The Occupational Safety and Health Administration ("OSHA") of the U.S. Department of Labor requires certain employers to record and report work-related fatalities, injuries and illnesses. The requirements are promulgated in OSHA's Recordkeeping Standard, 29 C.F.R. 1904.

Before 2002, employers kept track of work-related injuries and illnesses on the OSHA 200 Log. On January 1, 2002, the form became the OSHA 300 Log, and several major changes to the standard took effect. OSHA added a requirement for recording needlestick and sharps injuries, changed the definitions of restricted work and light duty work-related injuries, simplified musculoskeletal disorder recording, added privacy protections and extended the time period during which a summary of the previous year's injuries and illnesses must be reported. Many of the changes were made to increase employee involvement in reporting and recordkeeping, enhance employee access to information, raise hazard awareness and promote the use of technology in recordkeeping.

On January 1, 2004, additional changes to the OSHA 300 Log took effect, including:

- Adding a column to record occupational hearing loss. The column is designated M5 and the previous M5, which was entitled "All Other Illnesses," is now

column M6. The form's overview section contains new recording criteria for occupational hearing loss. A recordable hearing loss occurs when an employee experiences a Standard Threshold Shift ("STS"), the STS is work-related and the employee's aggregate hearing loss exceeds 25 decibels from audiometric zero.

- Reversing column K and column L. The "Days Away from Work" column now precedes the "Days on Job Transfer or Restriction" column.
- Clarifying formulas for calculating incidence rates.
- Making the "Classify the Case" column heading more prominent to make it clear that employers should mark only one of the four columns offered.

Employers who are subject to the recordkeeping standard were required to begin using the new OSHA Form 300 Log on January 1, 2004. The form's revision date ("rev. 1/2004") is located on the form next to the form number. Exempt employers include those with ten or fewer employees and those in certain low hazard industry groups.

Additionally, employers must post an annual summary of the total number of job-related injuries and illnesses that occurred the previous year. The summary (OSHA Form 300A) must be posted from February 1 to April 30 in a common area wherever notices to employees are usually posted. The summary must list the total numbers of job-related injuries and illnesses that occurred in the preceding year and were logged on that year's OSHA 300 form. Annual average number of employees and total hours worked during the calendar year also must be calculated and posted. A company executive must certify the summary in writing.

Employers should take note of the new recordkeeping requirements, as well as all of the previous requirements which remain in force. Not only is recordkeeping compliance important to avoid OSHA penalties, but it is also essential that employers pay attention to injury incidents and trends in their workplaces so that they can identify and address their underlying causes. In this case, knowledge is certainly power, and the 300 Log is an excellent source of information for a company.

OSHA Practice Group E-Newsletter is an electronic publication of the law firm of Reinhart Boerner Van Deuren s.c. and is prepared by attorneys in its OSHA Practice Group. This publication is intended to afford timely notice to our clients and friends of current events in OSHA regulations and to provide general information about OSHA issues. It is not intended, nor should it be used, as a substitute for specific legal advice regarding particular factual situations.

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