

OSHA's Revised Recordkeeping Rule Requirements: Effective January 1, 2015

The Occupational Safety and Health Administration of the U.S. Department of Labor ("OSHA") recently revised its recordkeeping rule in two significant ways. The first change adds new categories of severe work-related injuries that must be reported to OSHA. The second change amends the list of industries that are exempt from OSHA's routine injury and illness recordkeeping requirements. The new requirements took effect January 1, 2015; therefore, employers should familiarize themselves with the changes to ensure that they are prepared to comply with the revised rule in this new year.

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Fatality and Severe Injury Reporting

For years, OSHA has required that employers notify the agency of all work-related fatalities and all work-related hospitalizations of three or more employees. Single hospitalizations, amputations, and eye losses previously were not subject to these severe injury reporting requirements. Beginning January 1, 2015, however, these reporting requirements changed and **all employers subject to OSHA's jurisdiction must report:**

- **Fatalities** that occur within **30 days** of a work-related incident;
- **Inpatient hospitalizations** that occur within **24 hours** of a work-related incident;
- **Amputations** (traumatic losses of a limb or other external body part) that occur within **24 hours** of a work-related incident; and,
- **Eye losses** that occur within **24 hours** of a work-related incident.

An employer must report a **work-related fatality within 8 hours** of learning of the incident. **Inpatient hospitalizations, amputations, and eye losses must be reported within 24 hours** of hearing about the occurrence.

In addition to the existing methods of reporting fatalities and severe injuries — via telephone call or in-person visit to the OSHA Area Office nearest the incident location during regular business hours, or via OSHA's 24-hour hotline — electronic reporting soon will be available through the [OSHA website](#). The reports to OSHA must include:

- Name of the establishment;

- Time and location of the incident;
- Type and description of the incident;
- Number and name(s) of employee(s) for whom reporting is taking place; and
- Establishment's contact person and telephone number.

OSHA announced the new requirements after the Bureau of Labor Statistics reported that 4,405 workers were killed on the job in 2013. The U.S. Secretary of Labor explained that "[w]orkplace injuries and fatalities are absolutely preventable, and these new requirements will help OSHA focus its resources and hold employers accountable for preventing them." This statement was echoed by Dr. David Michaels, Assistant Secretary of Labor for Occupational Safety and Health, who emphasized that "[h]ospitalizations and amputations are sentinel events, indicating that serious hazards are likely to be present at a workplace and that an intervention is warranted to protect the other workers at the establishment." OSHA believes that the reports required effective January 1, 2015 will enhance its ability to prevent further workplace injuries and deaths by helping the agency identify high-risk workplaces and target enforcement efforts and compliance assistance. Moreover, employers, employees, researchers, and the public will have more access to workplace safety and health data.

Routine Recordkeeping Exemptions

In addition to revising the severe injury reporting requirements, OSHA also has updated the list of industries that are partially exempt from routinely maintaining injury and illness records (traditionally, retail trade, finance, insurance, real estate, and service establishments that have a below-average lost workday case rate). The new exemptions apply to industries with relatively low occupational injury and illness rates and are based on the North American Industry Classification System ("NAICS") and Bureau of Labor Statistics data from 2007-2009. Nevertheless, most employers with ten or fewer employees, regardless of their industry classification, continue to be exempt from OSHA's routine recordkeeping requirements, although they are subject to the severe injury reporting requirements.

For more details on the revised OSHA rule, including exceptions, the New List of Partially Exempt Industries, and the Table of Industries that Include Establishments Newly Required to Keep Records, see:

- [OSHA Fact Sheet: Updates to OSHA's Recordkeeping Rule: Reporting Fatalities and Severe Injuries](#)



- [**OSHA Fact Sheet:** Updates to OSHA's Recordkeeping Rule: Who is Required to Keep Records and Who is Exempt](#)
- [**OSHA Fact Sheet:** Updates to OSHA's Reporting and Recordkeeping Rule: An Overview](#)
- [**U.S. Department of Labor News Release:** OSHA announces new requirements for reporting severe injuries and updates list of industries exempt from record-keeping requirements](#)
- [**U.S. Department of Labor Statement:** Remarks by Dr. David Michaels, Assistant Secretary of Labor for Occupational Safety and Health Press Call on Updated Occupational Injury and Illness Reporting and Recording Requirements](#)

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