

Sample Lesson Plan
Construction Industry Training Program
Recordkeeping

Introduction

The purpose of this rule (Part 1904) is to require employers to record and report work-related fatalities, injuries and illnesses. Recording or reporting a work-related injury, illness or fatality does not mean that the employer or employee was at fault, that an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.

All employers covered by the Occupational Safety and Health Act (OSH Act) are covered by these Part 1904 regulations. However, most employers do not have to keep OSHA injury and illness records unless OSHA or the Bureau of Labor Statistics (BLS) informs them in writing that they must keep records. For example, employers with 10 or fewer employees and business establishments in certain industry classifications are partially exempt from keeping OSHA injury and illness records.

Instructor's Activities

- PowerPoint presentation
- Discuss 29 CFR Part 1904
- Participant feedback

Learning Objectives and Outcomes

§1904.4 Recording criteria.

Basic requirement: Each employer required by this Part to keep records of fatalities, injuries and illnesses must record each fatality, injury and illness that (1) is work-related, (2) is a new case, and (3) Meets one or more of the general recording criteria of §1904.7 or the application to specific cases of §1904.8 through §1904.12.

§1904.5 Determination of work-relatedness

Basic requirement: You 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 in §1904.5(b)(2) specifically applies.

§1904.6 Determination of new cases

Basic requirement: You must consider an injury or illness to be a "new case" if (1) the employee has not previously experienced a recorded injury or illness of the same type that affects the same part of the body, or (2) The employee previously experienced a recorded injury or illness of the same type that affected the same part of the body but had recovered completely (all signs and symptoms had disappeared) from the previous injury or illness and an event or exposure in the work environment caused the signs or symptoms to reappear.

§1904.7 General recording criteria

Basic requirement: You must consider an injury or illness to meet the general recording criteria, and therefore to be recordable, if it results in any of the following: death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness. You must also consider a case to meet the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness. If a work-related injury or illness results in medical treatment beyond first aid, you must record it on the OSHA 300 Log.

§1904.8 Recording criteria for needlestick and sharps injuries

Basic requirement: You must record all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (as defined by 29 CFR 1910.1030). You must enter the case on the OSHA 300 Log as an injury. To protect the employee's privacy, you may not enter the employee's name on the OSHA 300 Log [see the requirements for privacy cases in paragraphs 1904.29(b)(6) through 1904.29(b)(9)].

§1904.9 Recording criteria for cases involving medical removal under OSHA standards

Basic requirement: If an employee is medically removed under the medical surveillance requirements of an OSHA standard, you must record the case on the OSHA 300 Log.

§1904.10 Recording criteria for cases involving occupational hearing loss

Basic requirement: If an employee's hearing test (audiogram) reveals that a Standard Threshold Shift (STS) has occurred, you must record the case on the OSHA 300 Log by checking the "hearing loss" column.

§1904.11 Recording criteria for work-related tuberculosis cases

Basic requirement: If any of your employees has been occupationally exposed to anyone with a known case of active tuberculosis (TB), and that employee subsequently develops a tuberculosis infection, as evidenced by a positive skin test or diagnosis by a physician or other licensed health care professional, you must record the case on the OSHA 300 Log by checking the "respiratory condition" column.

§1904.12 Recording criteria for cases involving work-related musculoskeletal disorders

Basic requirement: If any of your employees experiences a recordable work-related musculoskeletal disorder (MSD), you must record it on the OSHA 300 Log by checking the "musculoskeletal disorder" column.

§1904.29 Forms

Basic requirement: You must use OSHA 300, 300-A, and 301 forms, or equivalent forms for recordable injuries and illnesses. The OSHA 300 form is called the Log of Work-Related Injuries and Illnesses, the 300-A is the Summary of Work-Related Injuries and Illnesses, and the OSHA 301 form is called the Injury and Illness Incident Report.

§1904.31 Covered employees

Basic requirement: You must record on the OSHA 300 Log the recordable injuries and illnesses of all employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal, or migrant workers. You also must record the recordable injuries and illnesses that occur to employees who are not on your payroll if you supervise these employees on a day-to-day basis. If your business is organized as a sole proprietorship or partnership, the owner or partners are not considered employees for recordkeeping purposes.

§1904.32 Annual summary

Basic requirement: At the end of each calendar year, you must:

- 1) Review the OSHA 300 Log to verify that the entries are complete and accurate, and correct any deficiencies identified
- 2) Create an annual summary of injuries and illnesses recorded on the OSHA 300 Log
- 3) Certify the summary. A company executive must certify that he or she has examined the OSHA 300 Log and that he or she reasonably believes, based on his or her knowledge of the process by which the information was recorded, that the annual summary is correct and complete.
- 4) Post the annual summary. You must post a copy of the annual summary in each establishment in a conspicuous place or places where notices to employees are customarily posted. You must ensure that the posted annual summary is not altered, defaced or covered by other material. You must post the summary no later than February 1 of the year following the year covered by the records and keep the posting in place until April 30.

§1904.33 Retention and updating

Basic requirement: You must save the OSHA 300 Log, the privacy case list (if one exists), the annual summary, and the OSHA 301 Incident Report forms for five (5) years following the end of the calendar year that these records cover. During the storage period, you must update your stored OSHA 300 Logs to include newly discovered recordable injuries or illnesses and to show any changes that have occurred in the classification of previously recorded injuries and illnesses. If the description or outcome of a case changes, you must remove or line out the original entry and enter the new information.

References

OSHA Standard

- 29 CFR Part 1904 Recording and Reporting Injuries and Illnesses
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=12765

- **Reference Material**

<http://www.osha.gov/recordkeeping/index.html>

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