



OSHA RECORDKEEPING OVERVIEW

29 CFR 1904 (FORMS 300, 300A, 301)

Simpson, CSP – EPIC Brokers

Chuck Simpson

- Sr. Safety Consultant Based In Birmingham
- CSP
- 38 Years In HSE
- Member Of Various Trade Association Safety Committees
- Been Everywhere, Done Everything - Twice

www.epicbrokers.com

- Top Ten Largest US Insurance Brokers
- Primarily A Business Focused Insurance Brokerage
- Other Services Provided (Benefits, Consulting, Etc.)
- Insurance Brokerage
 - Not An Insurance Carrier Or Agent
 - Represent Interests Of Insurance Consumer
 - Assist With Obtaining Appropriate Insurance At A Competitive Price
 - HSE Consultants Work With Clients To Control Loss And Prevent Incidents So Client Maintains Insurability

EPIC Consultants

- Some Services Fee Based, Others Bundled
- Contractual Analysis
- Benefits
- HSE
 - OSHA Compliance
 - DOT
 - IH

OSHA Recordkeeping / Reporting

Where do I get answers?

- 29 CFR 1904
- OSHA Recordkeeping Webpage
 - www.OSHA.gov
- Contact Chuck
 - 504-577-4743
 - chuck.simpson@epicbrokers.com
- Call OSHA

How Does OSHA Use Info?

- Assists With Focusing Onsite Inspections.
- Provides Statistical Information To Develop New Regulations.
- Allows OSHA To Allocate Resources Where Increasing Numbers Of Incidents Are Occurring.

How Do Insurance Carriers Use Info?

- When Writing Initial Coverage
 - Incidents Are Review For Severity
 - Incident Rates Are Compared To Industry / Other Companies
 - High Severity / High Incident Rates May Disqualify Potential Insured
- Periodic Review / Renewal
 - Used To Determine The Trajectory Of HSE Program.
- High Severity, High / Increasing Incident Rates Will Increase Premium or Justify Non-Renewal

How Do Owners Use Info?

- Qualify Contractors Based On HSE Performance
- This Is The Primary Reason Companies Worry About OSHA 300!
- Recognize Trends
- TRIR (Total Recordable Incident Rate) And DART (Day Away Restricted Time) Rate
 - $(\text{Number Of Incidents} \times 200,000) / \text{Number Of Man-hours}$
 - Some Oil & Gas Operators Max Allowable 0.8 TRIR

Owners vs. OSHA

- GCs, Petrochem Operators And Host Facilities Often Have Requirements That Differ From OSHA
 - Corporate Stat Rollup
 - Less Than 10 Employees
 - Company Ownership Included As Employees
 - Will Not Accept Common Law Employee Designation For Contractors
 - OCS Incidents Included In Count

OSHA Forms

- Kept Based On Establishment Not Company
- Maybe Kept At Central Location
- Captures Work Related Injuries And Illness Of Employees, Including Common Law Employees
- Forms 300, 300A & 301
- Maybe Kept Electronically
- 300 Must Be Current To Within 7 Calendar Days
- Copies Must Be Available To OSHA Within 4 Hours

Injury and Illness Log Form 300

- Link to [Documents](#)

Covid Recordkeeping

- [OSHA COVID Recordkeeping.pdf](#)
- Work Related / Non-Work Related?
- Threshold Of Recordability?
- Report To OSHA If Hospitalization Or Fatality
- Owners Will Likely Exclude Illnesses From 2020-2021 Statistical Collection

Threshold of Recordability

- Death
- Loss of Consciousness
- Restricted Duty
- Days Away From Work
- Medical Treatment
- Chronic, Irreversible Illness

First Aid (Not Recordable)

- Nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing or soaking wounds on the surface of the skin;
- Wound coverings such as bandages, Band-Aids™, gauze pads, etc.; or using butterfly bandages or Steri-Strips™
- Hot or cold therapy;
- Any non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.

First Aid

- Temporary immobilization devices while transporting an accident victim;
- Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister;
- Eye patches;
- Removing foreign bodies from the eye using only irrigation or a 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 (physical therapy or chiropractic treatment are considered medical treatment for recordkeeping purposes);
- Drinking fluids for relief of heat stress.

Work-Relatedness

- An Incident That Meets The Threshold Of Recordability Is Presumed To Be Work Related If It Occurs In The Work Environment, Unless One Of The Exemptions Applies
- Yes, They Really Mean It.

1904.5(b)(2) Exemptions

- Present In The Work Environment As A Member Of The General Public
- Signs Or Symptoms Surface At Work But Result From A Non-work-related Event Or Exposure
- Voluntary Participation In A Wellness Program Or In A Medical, Fitness, Or Recreational Activity
- Eating, Drinking, Or Preparing Food Or Drink For Personal Consumption
- Result Of An Employee Doing Personal Tasks

1904.5(b)(2) Exemptions

- Result Of Personal Grooming, Self Medication For A Non-work-related Condition, Or Is Intentionally Self-inflicted.
- Motor Vehicle Accident And Occurs On A Company Parking Lot Or Company Access Road While The Employee Is Commuting To Or From Work.
- Common Cold Or Flu
- Mental Illness, Unless The Employee Voluntarily Provides The Employer With An Opinion From A Licensed Health Care Professional Stating That The Employee Has A Mental Illness That Is Work-related.

Travel Status

- Injuries And Illness That Occur While On Travel Status Are Recordable If the Employee Was Engaged In Work Activities “In The Interest Of The Employer”.
- Injuries Or Illnesses That Occur On Travel Status Do Not Have To Be Recorded If:
 - The Employee Establishes A “Home Away From Home”
 - The Employee Is On A Personal Detour

Conflicting Medical Opinions

- Recommendations From Two Or More Physicians
- Employer Must Make A Decision As To Which Recommendation Is The Most Authoritative (Best Documented, Best Reasoned)
- Record The Case Based Upon That Recommendation.

Stopping The DAFW Count

- LHCP Recommends The Employee Return To Work – Regardless Of Whether Or Not The Employee Actually Returns
- The Count Is Stopped If An Employee Leaves For Reasons Unrelated To The Event

Reporting Incidents to OSHA

- All Work-related Fatalities Within 8 Hours.
- All Work-related Inpatient Hospitalizations, All Amputations And All Losses Of An Eye Within 24 Hours.
- Only Fatalities Occurring Within 30 Days Of The Work-related Incident Must Be Reported To OSHA.

Annual Reporting of Stats

- If Your Establishment Had
 - 250 Or More Employees At Any Time During The Previous Calendar Year, Then You Must Electronically Submit Information
 - 20 Or More Employees But Fewer Than 250 Employees At Any Time During The Previous Calendar Year, And Your Establishment Is Listed In Appendix A
- Then You Must Electronically Submit Information
- Establishments Are Required To Submit All Of The Required Information By March 2

Questions?