



OSHA Documentation – Record and Training Requirements



LaCrosse Area Occ S&H Council
October 25, 2022



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My Background

■ Mary Bauer

- 37 years w/ OSHA
 - 20 Compliance Officer
 - 17 Compliance Assistance Specialist
- IH/ Safety
- CIH: Certified Industrial Hygienist
- CSP: Certified Safety Professional
- 1000 + Inspections





Today's Agenda

- Review OSHA Logs, Summary and 301
- Fatality and Severe Injury/Illness Reporting
- Electronic Reporting
- What does "Documentation" Mean?
- What does "Certification" Mean?
- Required Documentation Standards
- Required Training Standards
- Maintenance/Retention of Records
- Exposure and Medical Records
- Tips on Record Maintenance



WIIFM? Why this is Relevant!

- What's in it for me?
 - Run the whole "safety show"?
 - Manage the paperwork?
 - Supervise/Responsible for the outcome?
 - Safety Committee Member?
 - Manage portion of Safety Program?
 - Part of the OSHA Inspection if one occurs?

1904 – “Recordkeeping”

“Reporting”

- **Accident/Illness:**
 - Work related Death
 - Hospitalization
 - Amputation
 - Loss of Eye
 - 8 or 24 HR
- **Electronic “Reporting”**
 - 20 or more employees
 - “select industries”
 - Nearly all Construction and Mfg.
 - All Industries over 250

“Recording”

- OSHA 300 Log
- OSHA 300A Summary
- OSHA 301 Description
- Or selected by BLS Survey
- Posted Feb. 1-April 30
- 11 or More Employees
- Most Industries-Some Exemptions

Electronic Deadline:
March 2nd

Report a Fatality or Severe Injury

- All employers are required to notify OSHA when an employee is **killed or died** on the job or suffers a work-related **hospitalization, amputation, or loss of an eye**.
- A fatality must be reported **within 8 hours**.
- An in-patient hospitalization, amputation, or eye loss must be reported **within 24 hours**.



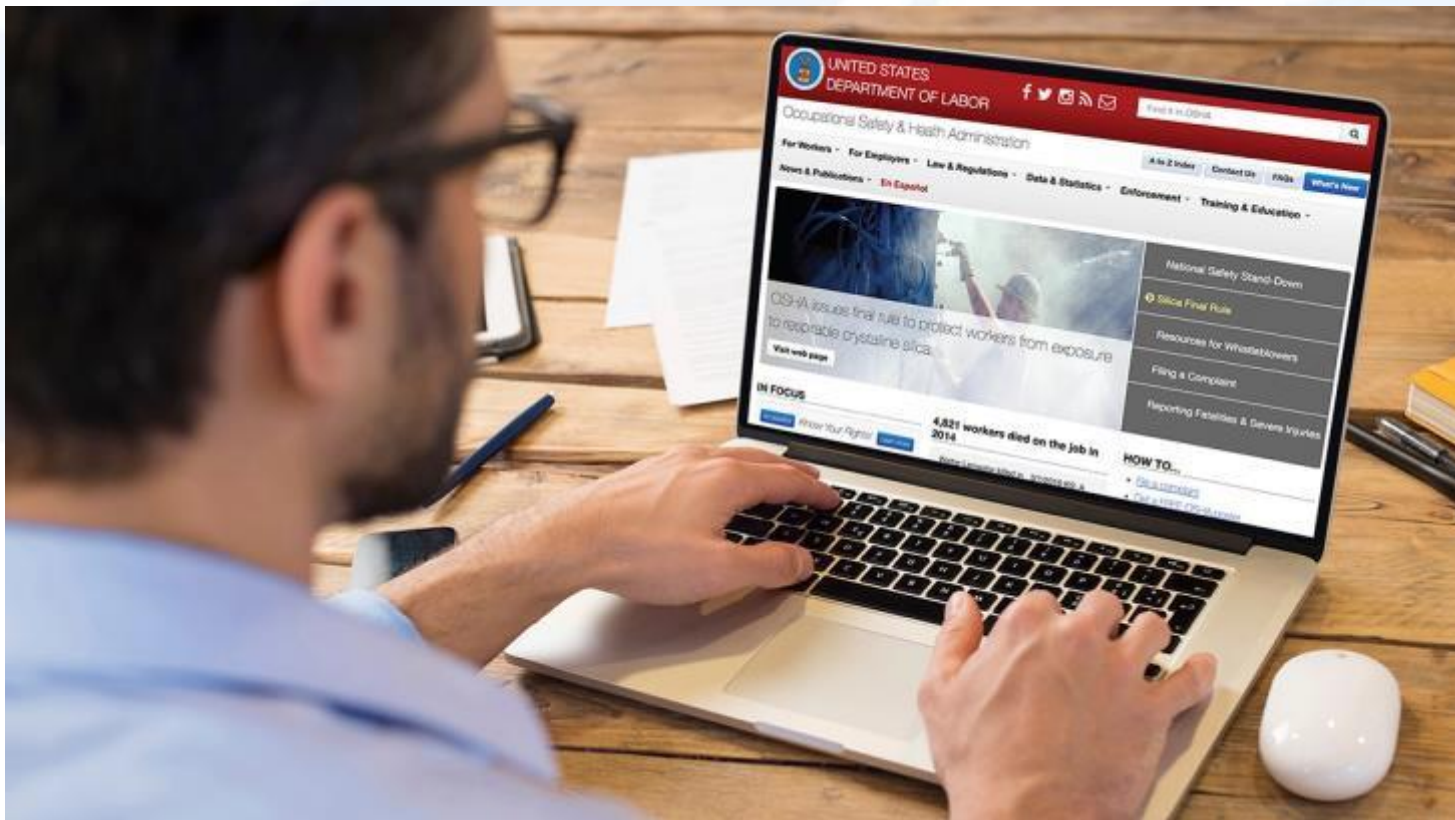
How can Employers Report to OSHA?

- During business hours, call the nearest OSHA office
- Or call the OSHA 24-hour hotline 1-800-321-6742 (OSHA)
- Or report online at [osha.gov/report](https://www.osha.gov/report)
- Be prepared to supply:
 - ✓ name of the establishment,
 - ✓ location and time of the incident,
 - ✓ names of employees affected,
 - ✓ brief description of incident, and a
 - ✓ contact person and phone number



Electronic Tracking Injuries and Illnesses

https://www.osha.gov/recordkeeping/finalrule/interp_recordkeeping_101816.html



Timeline

Watch for possibility to include OSHA 300 and 301 information in the Electronic Reporting. Will need to be quick for 2022 log information

Submission year	Establishments with 250 or more employees in industries covered by the recordkeeping rule	Establishments with 20-249 employees in select industries	Submission deadline
2019 and beyond	CY 2021 300A 300 and 301?	CY 2021 300A Form	March 2



How OSHA Uses Logs

- OSHA Log Review Part of Every Inspection
 - Unless Exempt (Size/NAISC)
 - Call back to office if Construction
- Identify Trends or High Potential Accidents
- Establishes Employer Knowledge to previous exposures

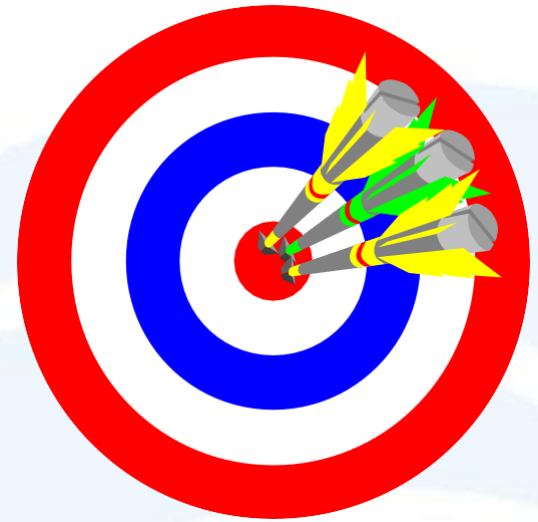
General Contractors and Host Companies require OSHA LOGS for companies prior to allowing work. Bid may not be accepted. Potential lost work.




General Schedule

- General Industry
 - SST-FY 2017-2019: Electronic Submissions
(Site Specific Targeting)
 - Higher Injury Rates
 - Low Rate Verification
 - Non Reporting Companies
- Emphasis Programs:
 - LEP (Local), NEP (National), SEP (Special)

Companies, especially construction contractors, are “vetted” on injury/illness rates to bid jobs or contracts.



Recordkeeping Page



UNITED STATES
DEPARTMENT OF LABOR

[f](#) [t](#) [i](#) [r](#) [e](#)

Find it in OSHA

[A to Z Index](#) [Contact Us](#) [FAQs](#) [What's New](#)

[For Workers](#) [For Employers](#) [Law & Regulations](#) [Data & Statistics](#) [Enforcement](#) [Training & Education](#) [News & Publications](#) [En Español](#)

OSHA Injury and Illness Recordkeeping and Reporting Requirements

Under the OSHA Recordkeeping regulation ([29 CFR 1904](#)), covered employers are required to prepare and maintain records of serious occupational injuries and illnesses, using the OSHA 300 Log. This information is important for employers, workers and OSHA in evaluating the safety of a workplace, understanding industry hazards, and implementing worker protections to reduce and eliminate hazards.

ANNOUNCEMENT On September 11, 2014, OSHA announced changes to the list of industries that are exempt from the requirement to routinely keep OSHA injury and illness records, and to the list of severe work-related injuries and illnesses that all covered employers **must report** to OSHA. These new requirements will go into effect on January 1, 2015 for workplaces under Federal OSHA jurisdiction. The guidance materials found on this page have been updated to reflect the new requirements.

For complete information on these changes, please visit:

[OSHA's Recordkeeping Rule](#)

The OSHA law prohibits employers from retaliating or discriminating against a worker for reporting an injury or illness.

Injury & Illness Recordkeeping Forms 300, 300A, 301

What's New

- [Proposed rule](#) clarifying employers continuing obligation to make and maintain accurate records of each recordable injury and illness
- OSHA updates [recordkeeping rule](#) September 11, 2014
- OSHA issues a [proposed rule to improve workplace safety and health](#) through improved tracking of workplace injuries and illnesses

In Focus

4 ways to get an answer to your recordkeeping scenario:

- Use the [Search Q&A](#) function to look for scenarios similar to your own.
- Use the [Recordkeeping Advisor](#) to step through the logic process of the recordkeeping rule.
- Read the Frequently Asked Questions using the [Additional Guidance](#) links for the various sections of the rule.
- Send your scenario to OSHA using our [e-correspondence form](#).

The OSHA Recordkeeping
Handbook

OSHA Log: Excel Spread Sheet or PDF

<https://www.osha.gov/recordkeeping/RKform300pkg-fillable-enabled.pdf>

OSHA's Form 300 (Rev. 01/2004)

Log of Work-Related Injuries and Illnesses

Note: You can type input into this form and save it.
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the [free Adobe PDF Reader](#). In addition, the forms are programmed to auto-calculate as appropriate.

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 20

U.S. Department of Labor
Occupational Safety and Health Administration



Form approved OMB no. 1218-0176

You must record information about every work-related death and about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR Part 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an Injury and Illness Incident Report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Establishment name

City State

Identify the person			Describe the case		Classify the case				Enter the number of days the injured or ill worker was:		Select the "injury" column or choose one type of illness:						
(A) Case no.	(B) Employee's name	(C) Job title (e.g., Welder)	(D) Date of injury or onset of illness (e.g., 2/10)	(E) Where the event occurred (e.g., Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g., Second degree burns on right forearm from acetylene torch)	SELECT ONLY ONE box for each case based on the most serious outcome for that case:											
						Remained at Work											
						Death (G)	Days away from work (H)	Job transfer or restriction (I)	Other recordable cases (J)	Away from work (K)	On job transfer or restriction (L)	(M)					
												Injury (1)	Skin disorder (2)	Respiratory conditions (3)	Poisoning (4)	Hearing loss (5)	All other illnesses (6)
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Page totals ▶

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about this estimate or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

Save Input

Add a Form Page

Page 1 of 1

Injury
(1)

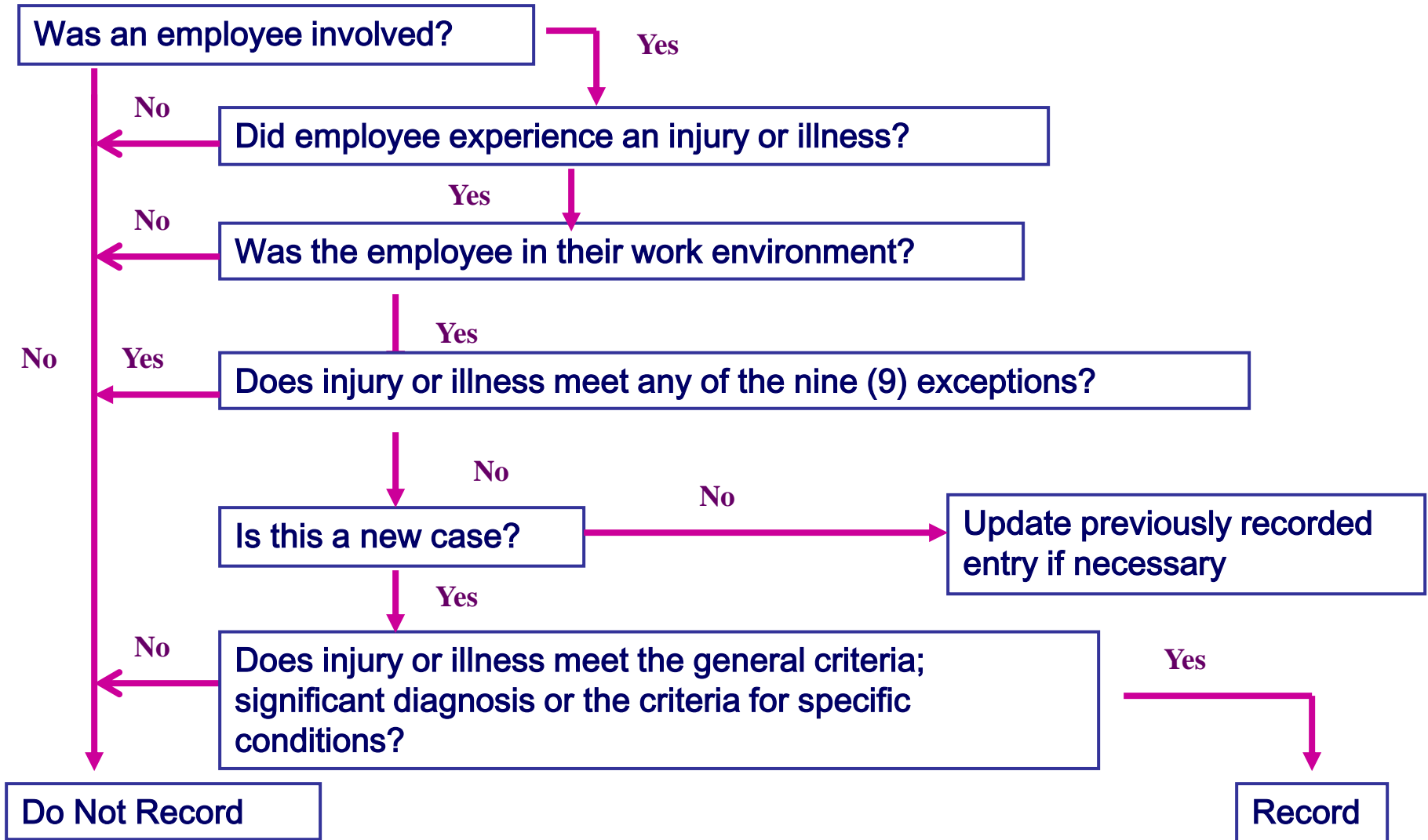
Skin disorder
(2)

Respiratory conditions
(3)

Poisoning
(4)

Hearing loss
(5)

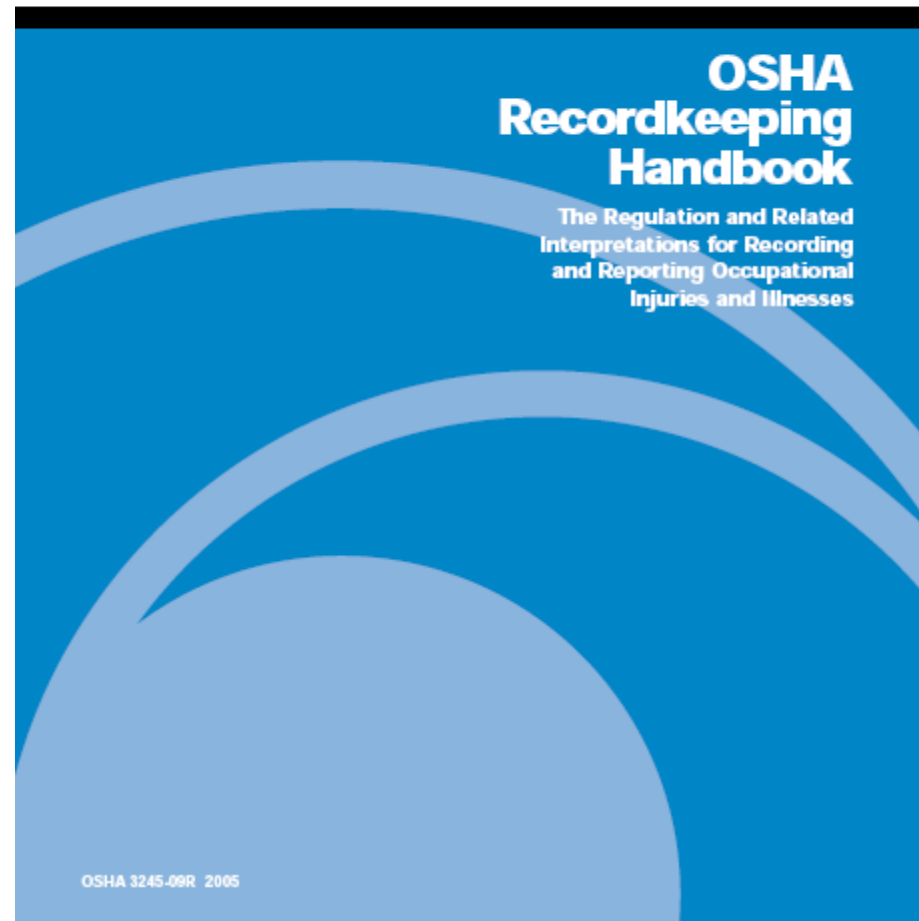
All other illnesses
(6)



OSHA Recordkeeping Handbook



FAQ available also.



Recordkeeping Criteria

- Covered employers must record each fatality, injury or illness that:
 - Is work-related, and
 - Is a new case, and
 - Meets one or more of the criteria contained in sections 1904.7 through 1904.12

Was an employee involved?

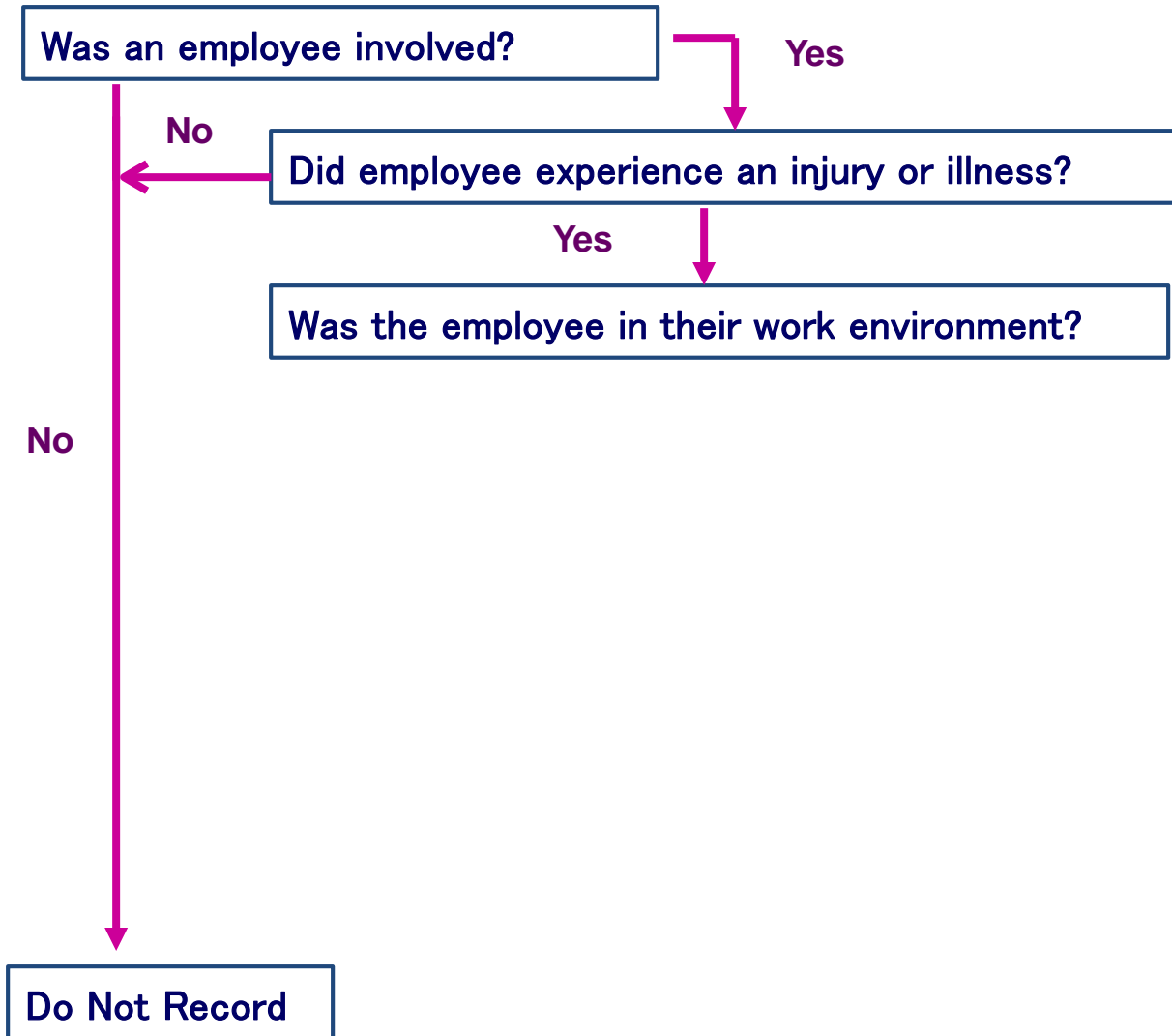
No

Do Not Record

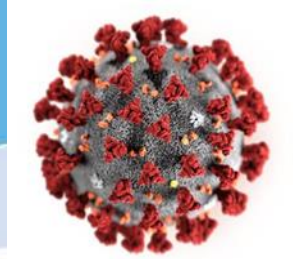
Temporary Staffing
Agency Worker,
under host
supervision, is under
the host OSHA Log

Covered Employees

- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
- Temporary help agencies should not record the cases experienced by temp workers who are supervised by the using firm
- Volunteers (federal agencies only)



Work-Related

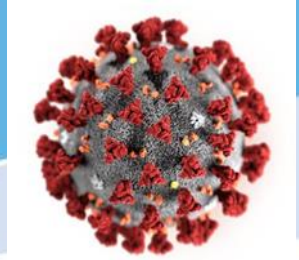


- A case is considered work-related if an event or exposure in the work environment either:
 - Caused or contributed to the resulting condition, or
 - Significantly aggravated a pre-existing injury or illness

Significant Aggravation

- A pre-existing injury or illness is significantly aggravated when an event or exposure in the work environment results in:
 - Death
 - Loss of consciousness
 - Days away, days restricted or job transfer
 - Medical treatment

Work Environment



Work-relatedness is **presumed** for injuries and illnesses resulting from exposures occurring in the work environment.

- Defined as the establishment and other locations where one or more employees are working or present as a condition of employment.
- Includes not only physical locations, but also the equipment or materials used by employees during the course of their work. (Telework and Travel)

Nine Exceptions

1. Present as a member of the general public
2. Symptoms arising in the work environment that are solely due to a non work-related event or exposure
3. Voluntary participation in a wellness program, medical, fitness or recreational activity (Stretch Program?)
4. Eating, drinking or preparing food or drink for personal consumption
5. Personal tasks outside assigned working hours

Nine Exceptions

- 6. Personal grooming, self medication for non work-related condition, or intentionally self-inflicted
- 7. Motor vehicle accident in parking lot/access road during commute
- 8. **Common** cold or flu
- 9. Mental illness unless medical opinion states work related

Work at Home



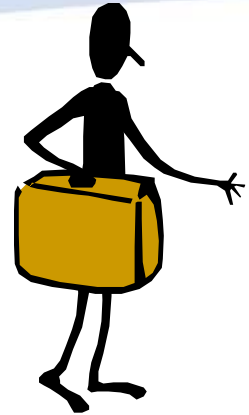
- Injuries considered work-related if they:
 - occur while the employee is performing work for pay or compensation in the home, and
 - are directly related to the performance of work rather than the general home environment
- <https://www.osha.gov/enforcement/directives/cpl-02-00-125>

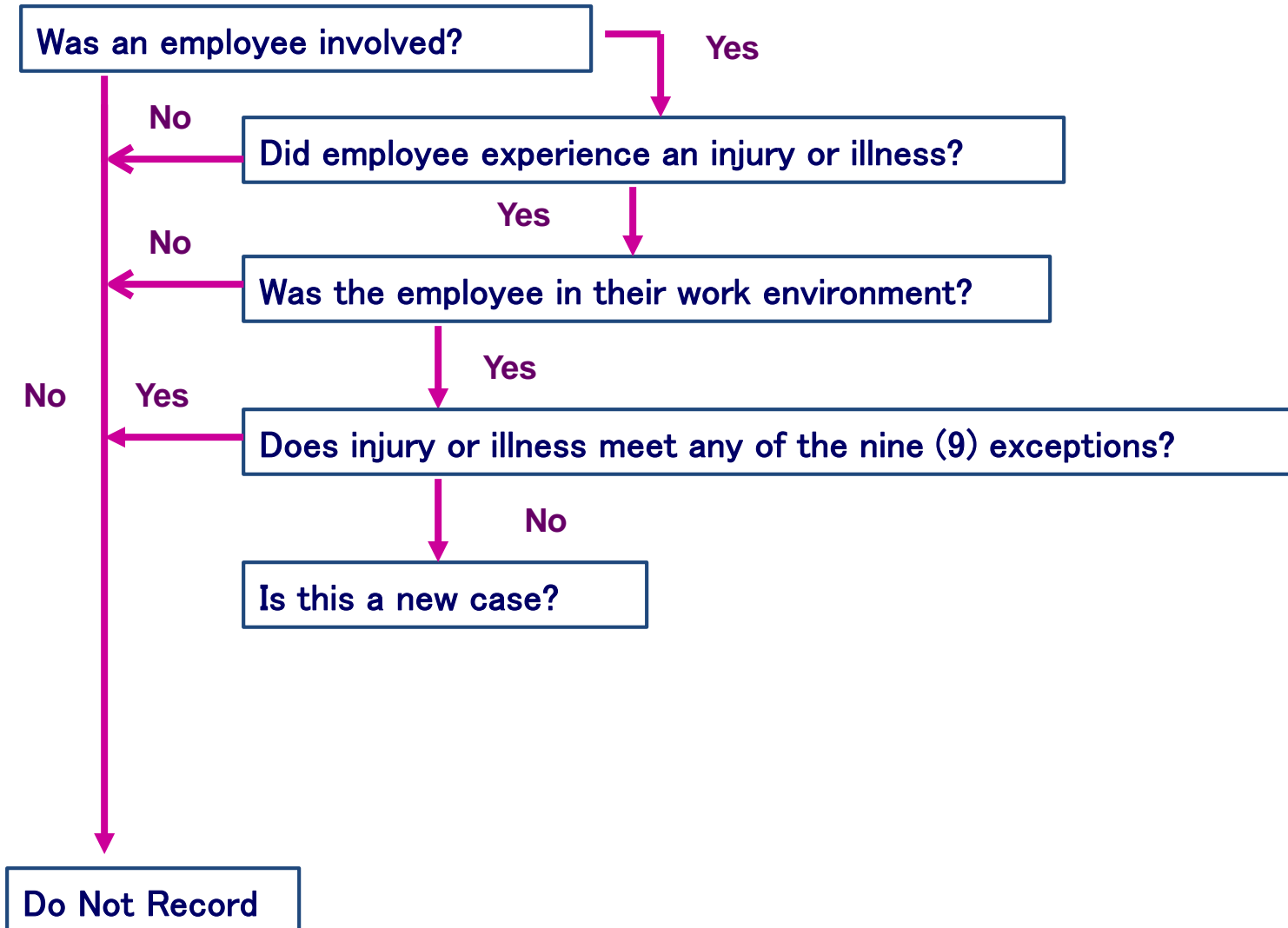
Travel Status

- An injury or illness during travel status is work-related if:
 - It occurred while the employee was engaged in work activities in the interest of the employer.

Considerations:

- ✓ Home away from home
- ✓ Detour for personal reasons

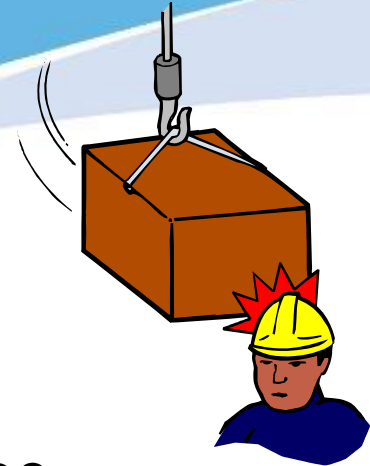




New Case

A case is new if:

- The employee has not previously experienced a recordable injury or illness of the same type that affects the same part of the body; or
- The employee previously experienced a recordable injury or illness of the same type that affects the same part of the body, but had recovered completely.



New Case

- Chronic work-related illnesses with recurring signs and symptoms without additional events or exposures must only be recorded once.
 - Cancer, asbestosis, silicosis, etc.
- Some instances of signs or symptoms brought on by additional events and exposures do need to be treated as new cases.
 - Occupational asthma, skin disorders

New Case

- If there is a medical opinion regarding resolution of a case, the employer must follow that opinion.



General Recording Criteria

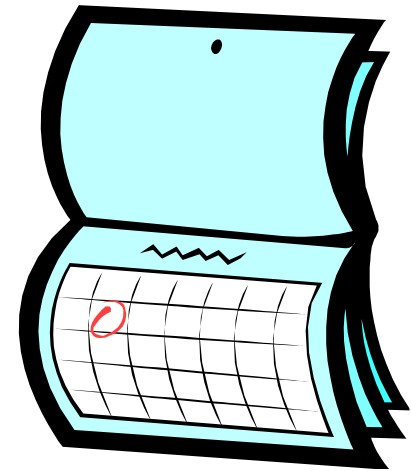
- An injury or illness is OSHA recordable if it results in one or more of the following:
 - Death
 - Days away from work
 - Restricted work activity
 - Transfer to another job
 - Medical treatment beyond first aid
 - Loss of consciousness

Deaths

- Injuries or illnesses that result in death
- Place a check mark in column G
- Day counts do not apply
- Modify a previously recorded case if the employee subsequently passes

Days Away & Counting Days

- Count the number of **calendar days** the employee was unable to work (include weekends and holidays, etc.)
- Do not include day of injury or illness
- Count days as whole days
- Do not count days missed for doctor appointments
- Cap day count at 180 days



Days Away & Counting Days

- May stop counting if employee leaves employment for a reason unrelated to the injury
- Estimate the days if the employee leaves employment related to the injury
- If a medical opinion exists, employer must follow that opinion regardless of what the employee actually does

Restricted Work

- Employee is kept from performing one or more routine functions of his or her job (tasks regularly performed once per week); or
- Employee is kept from working their full workday
- Restrictions may be imposed by either the employer or a HCP.

Restricted Work is NOT

- Restricted work only on the day of the injury or illness
- Production of fewer goods or services
- Restrictions that do not apply to the employee's routine job functions (less than one time per week)
- Vague restrictions from HCP such as light duty or take it easy, unless you are unable to receive clarification.

Job Transfer

- Employer or HCP assigns the employee to a job other than their regular job for part of the day
- If the job transfer is made permanent, stop counting days.
- If the transfer is made permanent right away, at least one day needs to be counted.

Medical Treatment

- Definition: The management and care of a patient to combat disease or disorder.
- It does not include:
 - Visits to HCP solely for observation
 - Diagnostic procedures
 - First Aid as defined in the standard

First Aid

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing, or soaking surface wounds
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Non-rigid means of support
- Temporary immobilization device used to transport accident victims



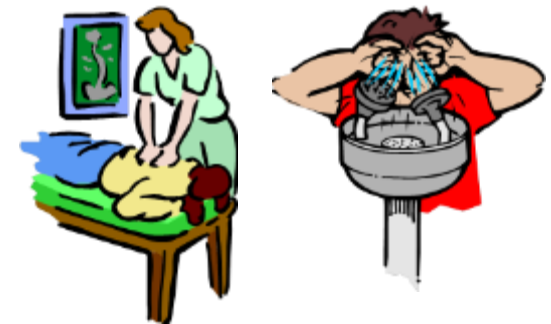
14 and ONLY 14 Conditions anything
else is Medical Treatment

RE: 1904.7(b)(5)(ii)

First Aid

- Drilling of fingernail or toenail, draining fluid from blister
- Eye patches
- Removing foreign bodies from eye using irrigation or 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**
- Drinking fluids for relief of heat stress

Letters of Interpretation:
ART, K-Tape, etc...



14 and ONLY 14 Conditions anything
else is Medical Treatment

RE: 1904.7(b)(5)(ii)

NAM Settlement

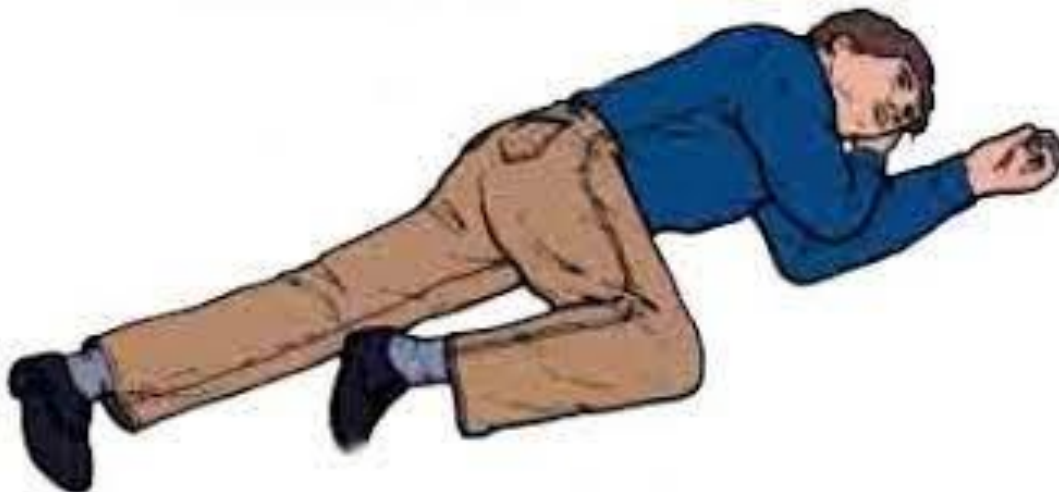


All three conditions must be met

- 1.If the employee has minor musculoskeletal discomfort; **and**
- 2.the PLHCP states the employee can fully perform their job functions; **and**
- 3.the employer transfers the employee to prevent a more serious condition, then it is not a recordable injury or illness.

Loss of Consciousness

- All cases involving loss of consciousness must be recorded



Significant Injury or Illness

- These significant injuries and illnesses, diagnosed by a Professional Licensed Healthcare provider, are recordable:
 - Cancer
 - Chronic irreversible disease
 - Fractured or cracked bone
 - Punctured eardrum

Specific Conditions

Bloodborne Pathogens

- Record needlesticks and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material
- Record splashes or other exposures to blood or other potentially infectious material if it results in diagnosis of a bloodborne illness or general recording criteria

Specific Conditions

Medical Removals are recordable

- Employee is medically removed under the medical surveillance requirements of an OSHA standard (lead, cadmium, methylene chloride, formaldehyde, benzene)
 - Record as case involving days away or days of restricted work activity
- Voluntary removals below the required removal level are not recordable

Specific Conditions

Hearing Loss is recordable

- Standard threshold shift is defined as an average change in hearing of 10 decibels or more at 2000, 3000, and 4000 hertz in one or both ears.
- Record 10 dB shifts that result in an overall hearing level of 25 decibels or more from audiometric zero
 - Adjust for aging
 - Can wait until after the retest to record
 - Physician or other licensed health care provider can rebut work relatedness

Specific Conditions

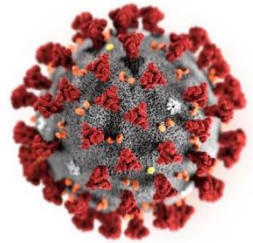
Tuberculosis

- Record cases where an employee develops TB after exposure to someone with a known case of active TB
- A case is not recordable when:
 - Employee lives with a person diagnosed with active TB
 - Public Health Dept has identified non work-related contact with an individual with active TB.
 - Medical investigation shows the employee's infection was caused by exposure away from work.

Medical Opinion

- When there is a single medical opinion rendered by a licensed health care professional, the employer must rely upon that opinion in the recordkeeping process
- When there are conflicting medical opinions, the employer must decide which opinion is more authoritative

OSHA Guidance: Recording Work-Related COVID-19 Cases



- **COVID-19 can be a recordable illness, and employers are responsible for recording cases of COVID-19 if all of the following are met:**
 - The case is a confirmed case of COVID-19 (see CDC information on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
 - The case is work-related, as defined by 29 CFR 1904.5; and
 - The case involves one or more of the general recording criteria set forth in 29 CFR 1904.7 (e.g., medical treatment beyond first aid, days away from work).

Healthcare ETS COVID Recordkeeping

<https://www.osha.gov/sites/default/files/publications/OSHA4130.pdf>

EMERGENCY TEMPORARY STANDARD

The COVID-19 Log



OSHA's COVID-19 Emergency Temporary Standard (ETS) requires employers to establish and maintain a COVID-19 log to record COVID-19 cases in their workforce. This document explains those requirements and provides guidance for recording COVID-19 cases on the COVID-19 log.

... establish and maintain a COVID-19 log to record each instance identified by the employer in which an employee is COVID-19 positive, regardless of whether the instance is connected to exposure to COVID-19 at work

Forms

- Completed within 7 calendar days of receiving information that a recordable case occurred
- Forms can be kept off-site and on a computer as long as they can be completed and produced when they are needed (i.e., meet the access provisions of 1904.35 and 1904.40)
- Equivalent forms with the same information, are readable and understandable, and that use the same instructions may be used

Privacy Case Log

1. An injury or illness to an intimate body part or reproductive system
2. An injury or illness resulting from sexual assault
3. Mental illness
4. HIV infection, hepatitis, tuberculosis
5. Needlestick and sharps injuries
6. **Illness** cases where the employee voluntarily request to keep name off

Privacy Case Log

Case Number Employee Name (from 300 Log)



Annual Summary & Retention



- Maintain the 300 and retain the 300A and 301s for 5 years following the year that they cover.
- Must provide records within 4 business hours upon OSHA's request.

Employee Involvement

- You must inform each employee of their right to report injuries and illnesses free from retaliation, and how to do so.
- The reporting procedure must be reasonable and must not deter or discourage employees from reporting.



Recordkeeping Mistakes Boil Down to 5 Categories:

1. Miscalculations
2. Classification of case
3. Over-Reporting injuries
4. Missing Information
5. Illegible handwriting

Who enters info?
Ee enter to notify of
an incident?



Calculating Incident Rates

TRC rate:

of total cases X 200,000*

Total hours worked by all employees

DART rate:

of cases from Columns H & I X 200,000

Total hours worked by all employees

DAFWII rate:

of cases from Columns H X 200,000

Total hours worked by all employees

**base for 100 equivalent full-time workers working 40 hrs/wk, 50 weeks/year*



OSHA Injury and Illness Recordkeeping and Reporting Requirements

OSHA published a [Final Rule](#) to amend its recordkeeping regulation to remove the requirement to electronically submit to OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report) for establishments with 250 or more employees that are required to routinely keep injury and illness records. Covered establishments are only required to electronically submit information from the OSHA Form 300A (Summary of Work-Related Injuries and Illnesses). The requirement to keep and maintain OSHA Forms 300, 300A, and 301 for five years is not changed by this Final Rule.

Recordkeeping Requirements

Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses. ([Certain low-risk industries are exempted.](#)) Minor injuries requiring first aid only do not need to be recorded.

- [How does OSHA define a recordable injury or illness?](#)
- [How does OSHA define first aid?](#)

This information helps employers, workers and OSHA evaluate the safety of a workplace, understand industry hazards, and implement worker protections to reduce and eliminate hazards -preventing future workplace injuries and illnesses.

OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

OSHA has issued temporary enforcement guidance related to the COVID-19 pandemic for Recording and Reporting Occupational Injuries and Illnesses required under 29 CFR Part 1904. For more information see the [Enforcement Memoranda](#) section of OSHA's [COVID-19 Safety and Health Topics](#) page.





UNITED STATES
DEPARTMENT OF LABOR



Occupational Safety and Health Administration

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[OSHA](#) ▾ [STANDARDS](#) ▾ [TOPICS](#) ▾ [HELP AND RESOURCES](#) ▾

SEARCH OSHA

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Data & Statistics

Inspection Data

Inspection Detail Definitions

- [Establishment Search](#) is a query tool which locates OSHA inspections which were conducted within a particular establishment
- [Search Inspections By NAICS](#) is a query tool which locates OSHA inspections which were conducted within a particular industry group
- [Inspection Information](#) enables access to information about an inspection when the activity number identifying the inspection is known
- [Annual Enforcement Summary](#). Provides a fiscal year overview of federal OSHA inspections by all types, compared to prior years, and identified by the categories of OSHA's Enforcement Weighting System (EWS).
- [High Penalties by state](#) lists all enforcement cases with initial penalties of \$40,000 or more, by state, starting January 2015
- [Fatality and Catastrophe Investigation Search](#) enables the user to search the text of the Accident Investigation Summaries (OSHA-170 form) which result from

Industrial Hygiene Air Sampling Data

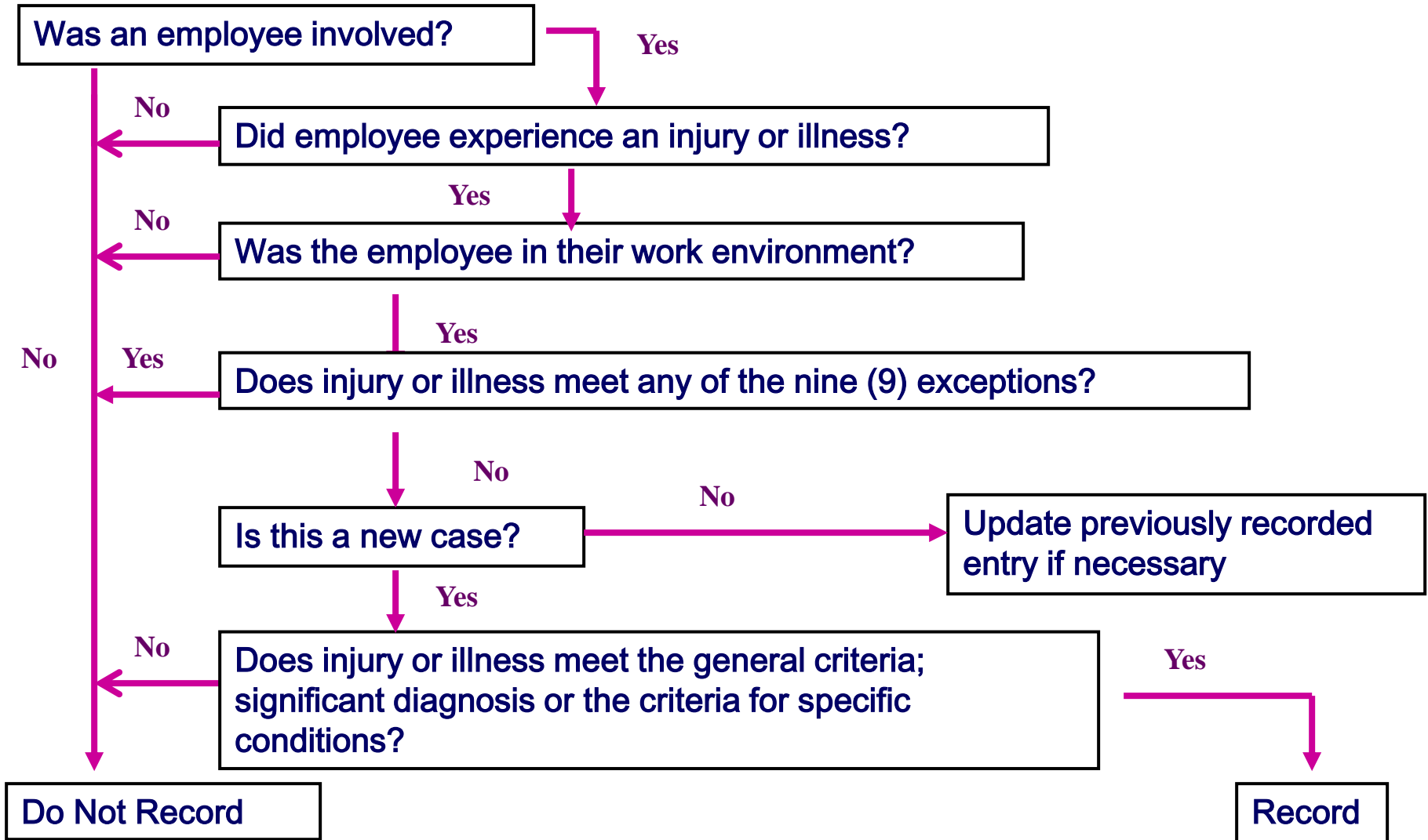
- [Chemical Exposure Health Data](#)

Establishment Specific Injury and Illness Data (OSHA 300A Data)

- [OSHA Data Initiative \(1996 - 2011\)](#) [Discontinued]
- [Injury Tracking Application](#) (Most Current Data)

Severe Injury Reports

- [Severe Injury Reports](#)
- [Fatality Reports \(Archived\)](#) – Access summaries of work-related fatalities and





“Paperwork Reduction Act”

- 1942, 1980 & 1995
 - 1980 Created “Office of Info & Regulatory Affairs”
 - “Burden Hours”: Time & Expense to Fill Out Forms
- The purposes of this chapter are to:
 - *minimize* the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

“Older” vs. “Newer” Standards

- Older Standards
 - Require Inspections
 - Don't Require Certification or Documentation
 - 1910.27(f): Ladder Inspection
- Newer Standards
 - Require Inspections
 - Require Certification of Requirements
 - 1910.147: Lockout / Tagout
 - Written Procedures
 - Periodic Inspection Certification
 - Training Certification





Why Maintain Documents?

IT'S REQUIRED!!!!



Why Maintain Documents?

- “If it isn’t written, it didn’t happen.”
 - Example: Verbal Warnings
 - “Written Verbals”
- Tracking Means of:
 - What Was Done/Covered
 - When It Was Done
 - Who Was There
 - Who Was Coordinating/Training



Why Maintain Documents?

- Preventative Maintenance
 - Predictive Maintenance
- Trend Analysis
- Historical Background
- Organizes Training Material & Info
 - Easier to Pass on Responsibilities
- Liability / Worker Comp Claims



Documentation vs. Certification

- Documentation or Documents:
 - Information to Show Necessary Details:
 - Industrial Hygiene Reports, (Air, Noise, Bulk Sampling)
 - (M)SDS,
 - Inspection Records: Crane, Mechanical Power Presses, etc.
 - OSHA 300, 300A and 301 Logs, etc.
- Certification
 - Who, When, Where, What
 - Minimal Information
 - “Yes, It was Done”.

Post Citation Abatement:
Documentation Required
vs Certification.



How Do I Know What Documents Are Required?

- OSHA Standards
 - 1910: General Industry
 - 1926: Construction
- Documents Required (Typical for Health Stds)
 - Written Programs & Procedures
 - Inspections & Program Reviews
 - Training
 - Medical Surveillance
 - Industrial Hygiene Monitoring / Exposure Records
 - Assessment / Hazard Evaluations



Construction vs. General Industry

- Construction Tends to Have LESS Paperwork Requirements
- Newer Construction Standards:
 - Requires Certification of Training
 - Fall Protection
 - Doesn't Require Certification of Training
 - Steel Erection
 - Scaffolding



How do I get Standards?

- Access Standards
 - Purchase or Request Standards Book
 - Government Bookstore
 - Commercial Safety Supply Sources
 - Web Site: www.osha.gov
 - Standards Tab
 - Safety & Health Topics
 - Publications for Specific Topics

www.osha.gov Standards



UNITED STATES
DEPARTMENT OF LABOR



Occupational Safety and Health Administration

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OSHA ▾

STANDARDS ▾

ENFORCEMENT

TOPICS ▾

HELP AND RESOURCES ▾

NEWS ▾

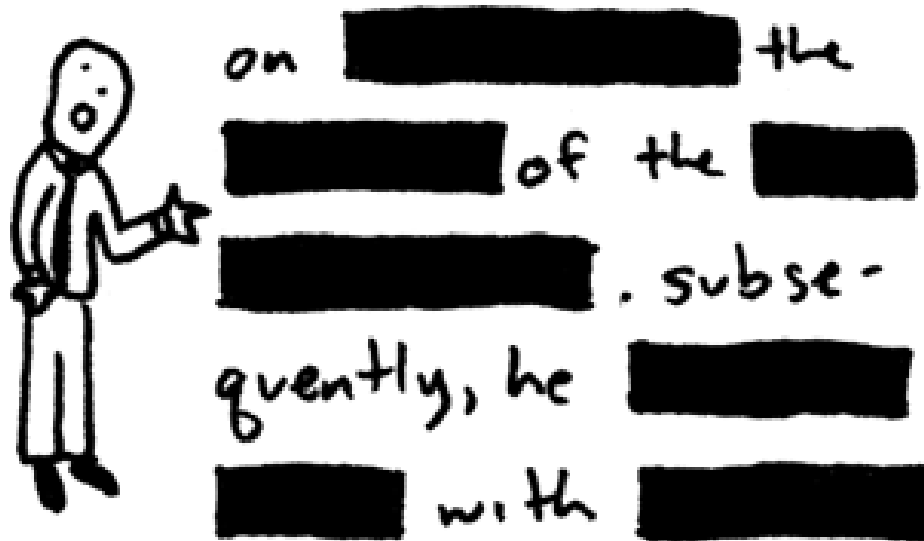
[Home](#) / [Enforcement](#)

Enforcement

OSHA sets enforcement policy and targeted inspection programs, and responds to fatalities, catastrophes and complaints.



What Documents Should I NOT Possess?



i am a de-classified
government document



What Documents Should I NOT Possess?

- Specific findings or diagnoses unrelated to occupational exposure - Do NOT Possess:
 - Pass/Fail or Satisfactory/Unsatisfactory on Medical Tests
 - Medications, Blood Pressure, History, etc.
 - Ee Completed Appendix C: Respirator Medical Evaluation
- Instead - Possess “Written Opinions” from:
 - Respirator Medical Evaluations
 - Emergency Response Medical Evaluations
 - Bloodborne Pathogen Test Results, etc.
- HIPAA: <http://www.hhs.gov/ocr/hipaa/>
 - Provisions for Confidentiality if Medical Records are Kept.
 - Plant Nurse or Health Department



Written Opinion vs. Medical Test Results

- Written Opinion: No Specific Results
 - Can Perform Duties
 - Can Not Perform Duties
 - Can Perform Duties w/ Following Limitations
- Medical Tests: ER Needs to Know Results
 - Audiograms to Determine STS
 - Worker Comp and OSHA Log Info - Diagnosis
 - Biological Indicators for Chemicals
 - Blood Lead Test Results and other Metal Test Results



Required Documentation

- **29 CFR 1903.19: ABATEMENT VERIFICATION**
 - If Cited; Must Provide Documentation or Certification of Abatement to OSHA office.
- **29 CFR 1904.1 - 1904.42: LOG AND SUMMARY OF OCCUPATIONAL INJURIES AND ILLNESSES**
 - OSHA- 300: Log and Summary
 - OSHA- 300A: Annual Summary
 - OSHA -301: Supplementary Record OR WKC-12
 - Retain and Maintain for 5 Previous Complete Years



Noise: 1910.95(m)



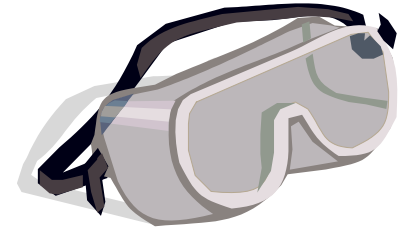
- Exposure Measurements
 - Sound Level or Dosimeter Readings
 - Retain for 2 Years
 - * HOWEVER, Need to Show Monitoring Results *
- Audiograms:
 - Employee Info
 - Testing Equipment Information
 - Duration of Affected Employee's Employment
 - Includes Specific Information



Personal Protective Equipment Assessment: 1910.132(d)

- Verify that the required workplace hazard assessment has been performed:
 - Written Certification
 - Identifies the workplace evaluated;
 - Person certifying evaluation has been performed;
 - Date(s) of the hazard assessment; and,
 - Which identifies the document as a certification of hazard assessment

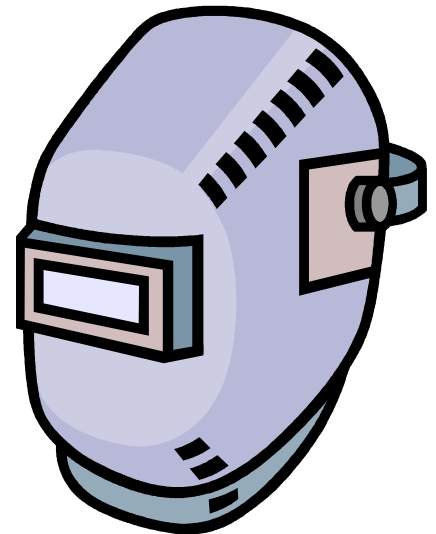
Personal Protective Equipment Training: 1910.132(f)(4)



- Verify that each affected employee has received and understood the required training:

- Written Certification

- Name of each employee trained,
- Date(s) of training, and
- Identifies the subject of the certification.



Respiratory Protection

1910.134

- Written Copy of Respiratory Program
 - 1910.134(c)(1)(i)-(ix)

- Written PLHCP Opinion

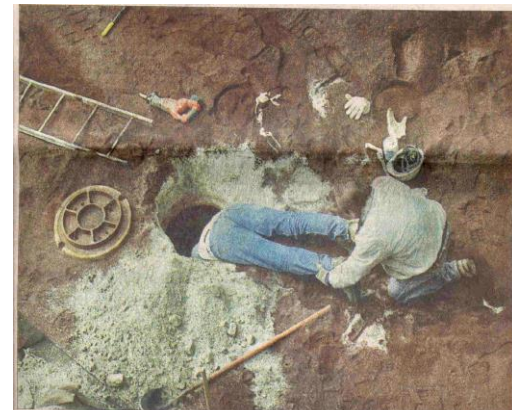
- Fit Testing

- Certification / Inspection Emergency Use



Permit-Required Confined Spaces: 1910.146

- Written Confined Space Program: (c)(4)
- Written Permit System:
 - Cancelled Entry Permits
 - Retained for One Year
- Alternative Entry Procedures
 - Certify Safe Entry under (c)(5) or (c)(7)
 - Duration of the Entry
- Trainings: Certification
- First Aid/ CPR: Certification

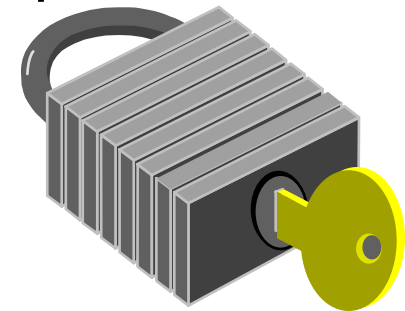


LOCKOUT / TAGOUT

1910.147



- Specific Written Procedures:
 - Machine Specific: Step-by-Step
- Certification of Periodic Inspection
 - Machine or Group of Machines
 - Date of the Inspection
 - Employee Utilizing the Procedure
 - Authorized Person Performing Inspection
- Certification of Training
 - Employee Name
 - Date of Training



Fire Extinguisher Inspections

- Need monthly visual inspection
 - CAN BE documented on backside of tag
- MUST have annual inspection documented
 - Holes Punched
 - Electronic? Scan Barcode?

FIRE EXTINGUISHER INSPECTION RECORD

Last Hydro, Test or Purchase Date: _____
Inspection good for one year from date shown.

INSPECTION RECORD	
Date	Initials

Consult extinguisher instructions for service recommendations. Contact service company.





Access To Exposure & Medical Records: 1910.1020

- Exposure Record
 - (M)SDS
 - Industrial Hygiene Monitoring
- Medical Records
 - Medical Surveillance Results
 - Written Medical Opinions



Access To Exposure & Medical Records: 1910.1020

■ Retention Time:

- Unless specified in a “vertical” standard
- "Employee medical records." The medical record for each employee shall be preserved and maintained for at least the duration of employment plus thirty (30) years, except that the following types of records need not be retained for any specified period:
 - The medical records of employees who have worked for less than (1) year for the employer need not be retained beyond the term of employment if they are provided to the employee upon the termination of employment.
- "Employee exposure records." Each employee exposure record shall be preserved and maintained for at least thirty (30) years, except that:



(M)SDS & Format of Retention

- **1910.1020(d)(1)(ii)(B)** Material safety data sheets and paragraph (c)(5)(iv) records concerning the identity of a substance or agent need not be retained for any specified period as long as some record of the identity (chemical name if known) of the substance or agent, where it was used, and when it was used is retained for at least thirty (30) years(1)
 - Footnote(1) Material safety data sheets must be kept for those chemicals currently in use that are effected by the Hazard Communication Standard in accordance with 29 CFR 1910.1200(g).
- **1910.1020(d)(2)** Nothing in this section is intended to mandate the form, manner, or process by which an employer preserves a record so long as the information contained in the record is preserved and retrievable, except that chest X-ray films shall be preserved in their original state.



BLOODBORNE PATHOGENS

1910.1030

- Written Exposure Control Plan
 - Reviewed at least annually
 - with input from non-management employees
- Training
 - Date(s)
 - Content or Summary
 - Names and Qualifications of Trainer
 - Names and Titles of Attendees
 - Retained for 3 Years
- Training Materials
- Sharps Log—Can be incorporated into 300 Log

Hazard Communication

1910.1200

- Written Program

- Program
- (M)SDS
- Labeling
- Training



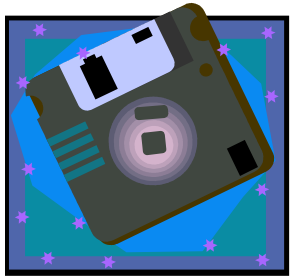
- (M)SDS: (Material) Safety Data Sheets

- 30 years after you stop using it

Maintain in What Form?

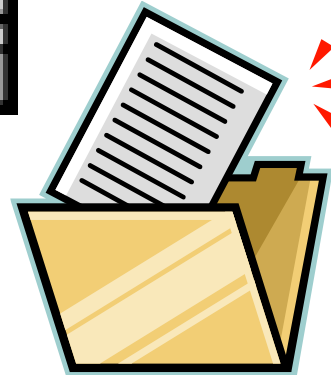
- Readily Accessible

- On or Off Site
- 24/7/365
- How to access



- Withstand Changing Technology

- Electronic Forms Constantly Changing
- Need 30 Plus Years
- Software or Database Changes





Posting Requirements

- OSHA Job Safety & Health Poster
- OSHA – 301: Feb. 1 – April 30
- Noise Standard
- Access to Information (Can be Posted)
- “Employer shall make readily available...”
 - How to Access Exposure & Medical Records
 - Standards and Appendices: Expanded Health

Training Reference



<https://www.osha.gov/Publications/osha2254.pdf>



Lists Each Standard's Training Requirements

- **1910.157 Portable fire extinguishers**
- **(g) Training and education**
- (1) Where the employer has provided portable fire extinguishers for employee use in the workplace, the employer shall also provide an educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage firefighting.
- (2) The employer shall provide the education required in paragraph (g)(1) of this section upon initial employment and at least annually thereafter.
- (3) The employer shall provide employees who have been designated to use fire fighting equipment as part of an emergency action plan with training in the use of the appropriate equipment.
- (4) The employer shall provide the training required in paragraph (g)(3) of this section upon initial assignment to the designated group of employees and at least annually thereafter.



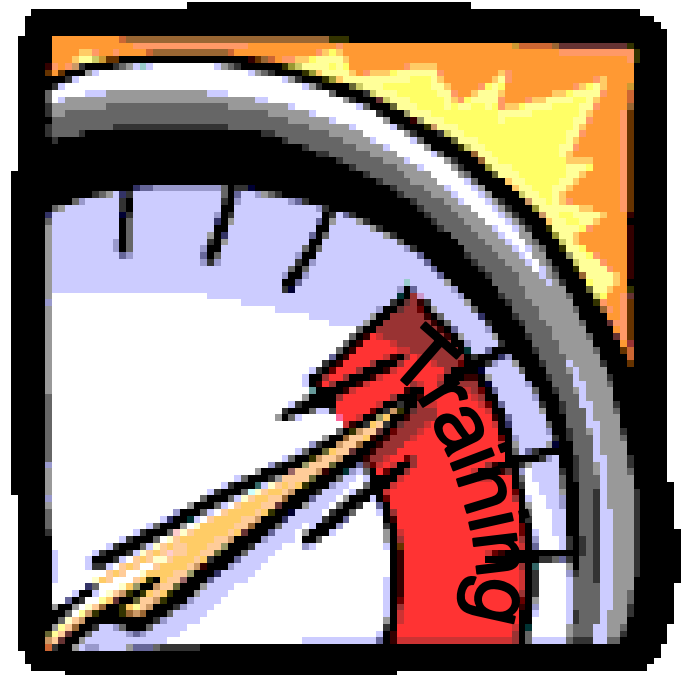
Needs Assessment



- Identifies need for training interventions:
 - Who needs the training
 - What specific training is needed
 - When is the training to be conducted
 - Where will the training be conducted
 - Why is the training necessary
 - Desired goals, objectives, and outcomes

Training “Needs” Indicators

- ✓ New personnel added
- ✓ Change in procedures
- ✓ Increased absenteeism
- ✓ Frequent accidents
- ✓ Poor written and/or oral communications





TEMPORARY AND VULNERABLE WORKERS

Seriously? “Place Order” for a person?

Hire People.

Find a
Job.

Expect the Best People We Place Industries We Know Our Process

A Staffing Agency you can Trust.

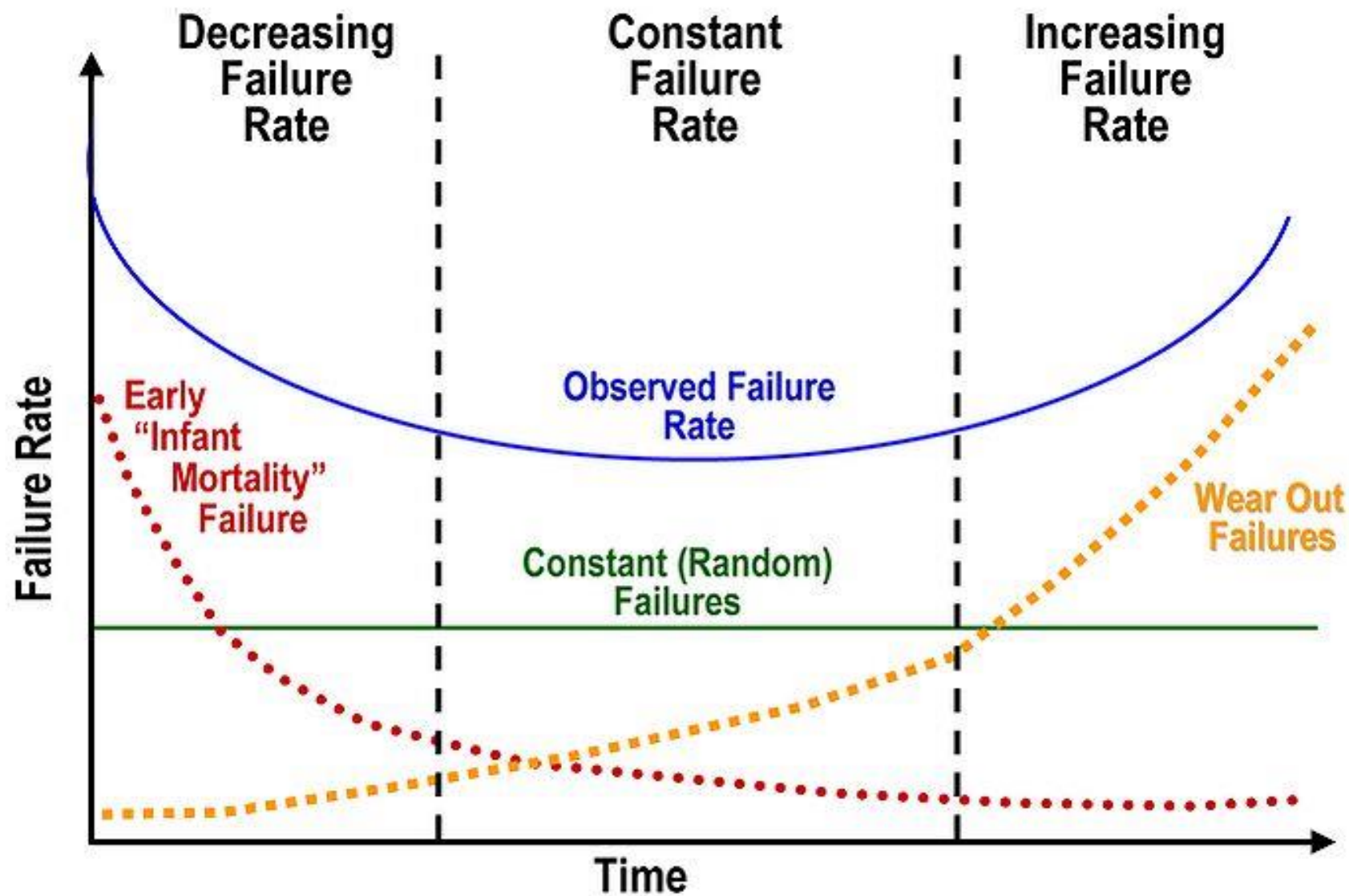
In a market saturated with staffing agencies, our experience combined with unique and

Place Order!



Training- What & How

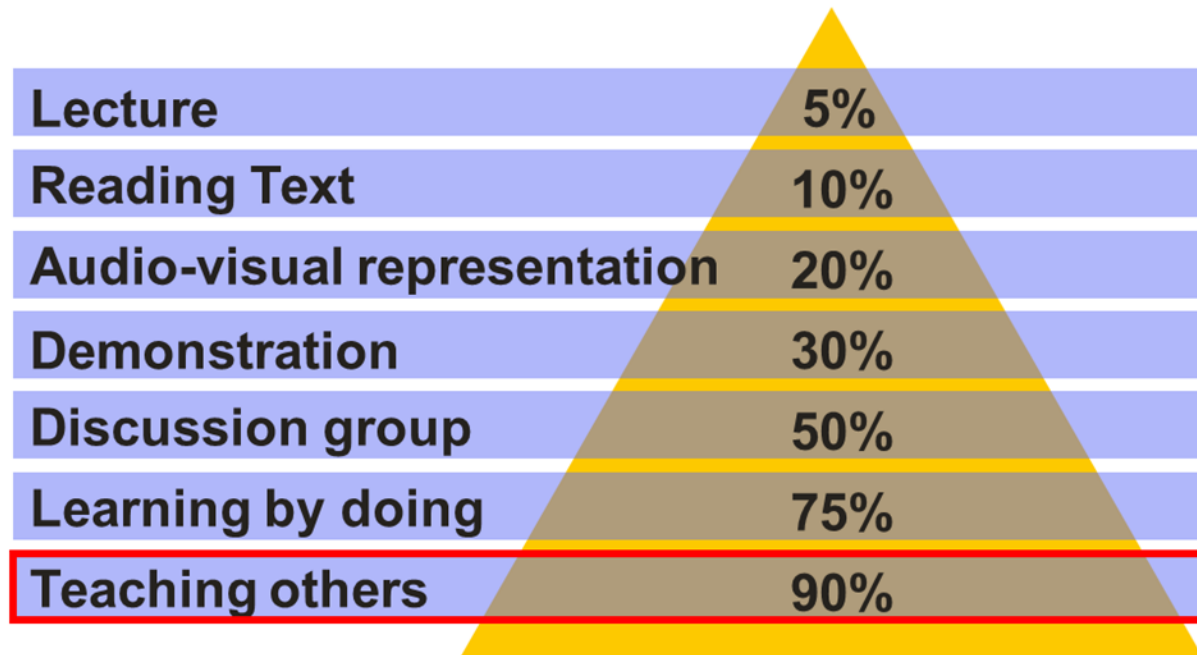
- Specific to the type, size and source of the hazard and or task
- PPE training must be thorough (when, wear, care, limitations, replacement)
- Some training may require classroom and practical (PIT, Haz Comm, Cranes, etc.)
- Based on job hazard assessment (JSA)
- Must be in a manner that is understood!
 - **LANGUAGE AND VOCABULARY**
 - “no Inglés”
 - Literacy Rate in the US: < 8th grade level?



Mentoring Benefits- Teaching Others

The Learning Pyramid

Average retention of material presented in different ways



Job Description



Good Job Description includes:

- Example tasks
 - PPE requirements
 - Safety requirements (e.g. attend safety orientation)
 - Exclusions (e.g. no operation of press brake)
 - Additional hazards (e.g. confined spaces)
-
- JOB HAZARD/SAFETY ANALYSIS (JHA) or JSA



Frequency for Training

- Some Fixed Requirements Such As Bloodborne Pathogens:
- Upon Hire or Assignment or new Hazard and Annually Thereafter
- **1910.1030(g)(2)(ii)** Training shall be provided as follows:
 - At the time of initial assignment to tasks where occupational exposure may take place;
 - At least annually thereafter.
 - Annual training for all employees shall be provided within one year of their previous training.
 - Employers shall provide additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affect the employee's occupational exposure. The additional training may be limited to addressing the new exposures created.



Frequency for Training

- Some Flexible Such as Personal Protective Equipment:
- Each affected employee shall **demonstrate an understanding** of the training specified in paragraph (f)(1) of this section, and the ability to use PPE properly, before being allowed to perform work requiring the use of PPE.
- When the employer has reason to believe that any affected employee who has already been trained **does not have the understanding and skill** required by paragraph (f)(2) of this section, the employer shall retrain each such employee. Circumstances where **retraining is required** include, but are not limited to, situations where:
 - **Changes in the workplace** render previous training obsolete; or
 - **Changes in the types of PPE** to be used render previous training obsolete; or
 - Inadequacies in an affected employee's knowledge or use of assigned PPE indicate that the employee has **not retained** the requisite understanding or skill.



Sample Training Document

- Training Conducted on this date: _____
- Training Conducted by: _____
- Qualifications of Trainer: _____
- Training Materials Used: _____
 - Title of video(s), handouts, PPT – attach, Name of Company program or policy, etc.)
- Summary of Info Covered
 - As Required by Particular Standard
- Printed Name and Signature by Attendees
- Time Spent in Training



Training Documents Available

- "Access to information and training materials."
 - The employer shall provide, upon request, all materials related to the employer's training and education program pertaining to this standard to the Assistant Secretary and the Director.
 - 1910.95(l)(3): Noise
 - 1910.1030: Bloodborne Pathogens
 - Many Expanded Health Standards:
 - Methylene Chloride, Formaldehyde...



Tips for Documentation

- Any Means or System Works if Demonstrated “Effective”
 - Computerized / Spread Sheet
 - Personnel File
 - Kept with Specific Program
- Effective:
 - Is Required Info “Readily” Available?
 - If your coordinator was not present during an OSHA inspection, could the requested documents be found?



Tips for Documentation

- Look at the End of Each Standard
 - Training
 - Recordkeeping
 - Program Review
 - Inspections
- Address a Topic a Month to Review
- Means to Incorporate New Hires or Transfers



Retention of Training and other Records

- Typical Retention of Training Records are until the next one replaces it.
- Respirator Fit Testing – until the next one replaces it.
- SUGGEST YOU KEEP EVERYTHING.



Tips for Documentation

KEEP EVERYTHING!!!



Scan into PDFs

Organized Electronic Files



Tips for Documentation

- Accident Investigations
 - Photos
 - Measurements
 - Interviews
- Redesigning Workstations: ERGO
 - Before and After Photos, Sketches, Measurements
 - Follow Up



What about your Contractors?

- Do your outside contractors have the required documentation of their safety program?
- Do you ask?
- Do you receive copies?
- What programs would you ask for?



Reference Publications

<http://www.osha.gov/pls/publications/pubindex.list>

- OSHA 3165: **Job Safety & Health Protection Poster (English)**
- OSHA 3110: **Access to Medical and Exposure Records**
- OSHA 3186: **Model Plans and Programs for the OSHA Bloodborne Pathogens and Hazard Communications Standards**
- OSHA 3169: **RECORDKEEPING - It's new, it's improved, and it's easier....**
- OSHA 3245: **Recordkeeping Handbook**
- OSHA 2209: **Small Business Handbook**
- OSHA 2254: **Training Requirements in OSHA Standards and Training Guidelines**



MSHA: Task Training

Every individual needs to be trained on specific assigned tasks.

- <http://arlweb.msha.gov/interactivetraining/tasktraining/>



Wisconsin Safety and Health Consultation Program (WisCon)

**Free On-Site Safety &
Health Consultation
Services**

**For Wisconsin's Small
Business Community:**

(800) 947-0553

Free Safety & Health
Consultation | Wisconsin State
Laboratory of Hygiene





elaws - OSHA recordkeeping Advisor

<https://webapps.dol.gov/elaws/osharecordkeeping.htm>

- ⑩ Whether an injury or illness is work related
- ⑩ Whether an event or exposure at home or travel is work related
- ⑩ Whether an exception applies to the injury or illness
- ⑩ Whether a work-related injury or illness needs to be recorded
- ⑩ Which provisions of the regulations apply when

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- Sign up at www.osha.gov

OSHA publications for every workplace training need



[osha.gov/publications](https://www.osha.gov/publications)

OSHA INITIATIVES



Protecting Temporary Workers



Heat Illness Prevention



Preventing Falls



Protecting Health Care Workers



Chemical Hazards



Workplace Violence



Emergency Preparedness

Wisconsin Compliance Assistance Specialists

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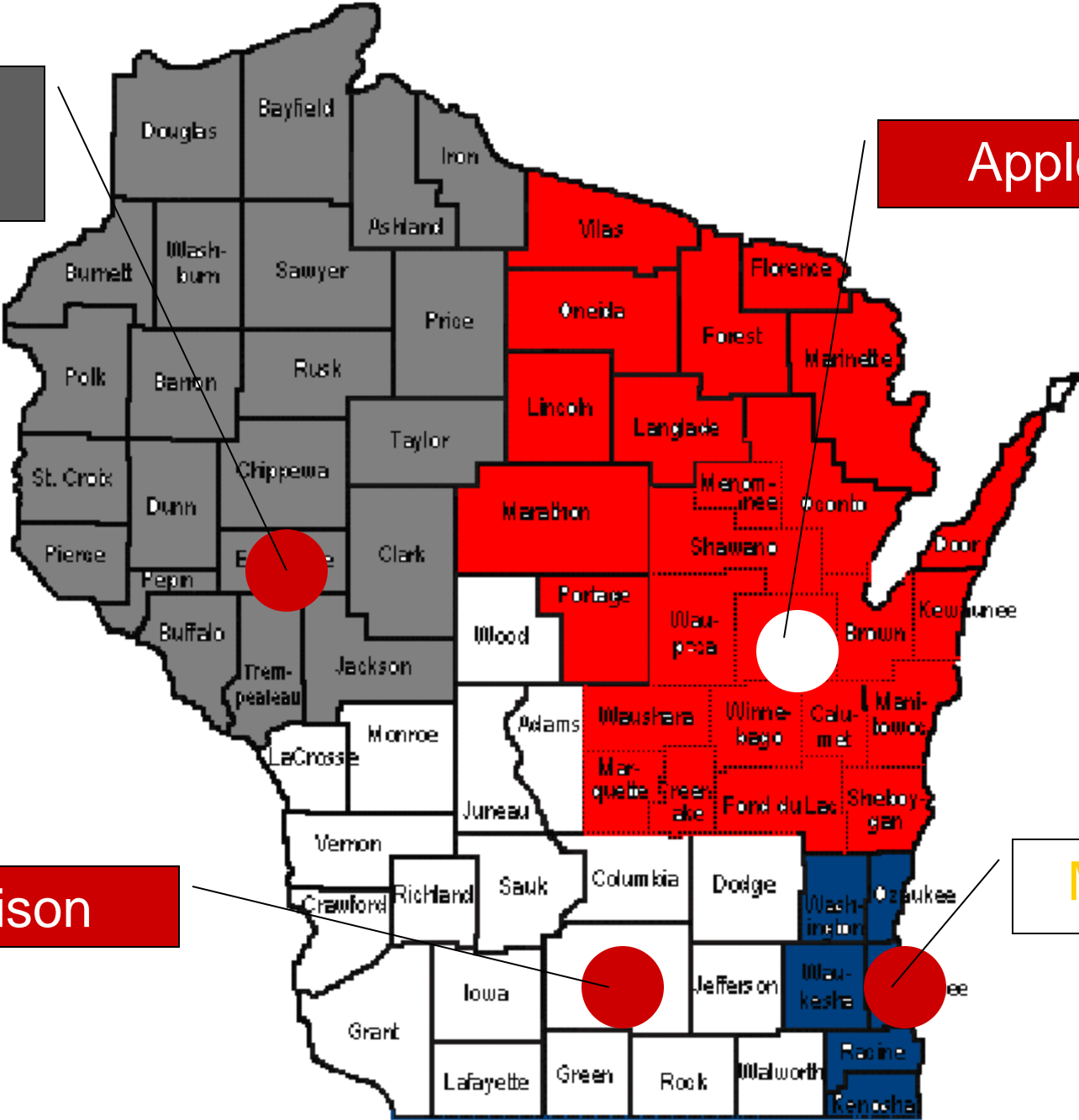
Eau
Claire



Appleton

Madison

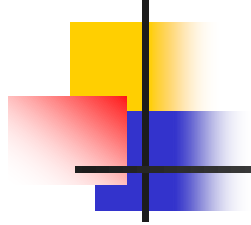
Milwaukee



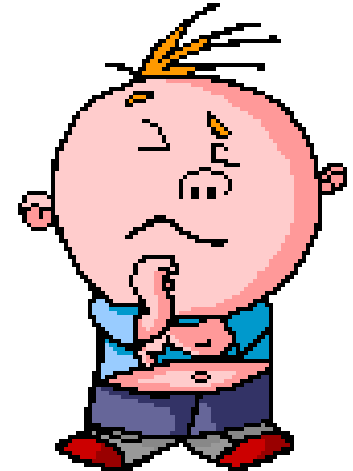


Summary

- Develop & Implement System to Document All Safety and Health Related Efforts.
- Various Avenues for Assistance
 - Website
 - Compliance Assistance Specialists
 - State Consultation Service



QUESTIONS





Disclaimer

- This information has been developed by an OSHA Compliance Assistance Specialist and is intended to assist employers, workers, and others as they strive to improve workplace health and safety. While we attempt to thoroughly address specific topics *or hazards*, it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in a presentation of this nature. Thus, this information must be understood as a tool for addressing workplace hazards, rather than an exhaustive statement of an employer's legal obligations, which are defined by statute, regulations, and standards. Likewise, to the extent that this information references practices or procedures that may enhance health or safety, but which are not required by a statute, regulation, or standard, it cannot, and does not, create additional legal obligations. Finally, over time, OSHA may modify rules and interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA's website at www.osha.gov.