



The end of the year is quickly approaching and with it companies have many deadlines for filing forms with insurance companies and government entities. One of the forms that is most often overlooked for accuracy is OSHA's 300 log. Though the form seems very simple, there are subtleties to it that can have drastic effects on a company's viability. At face value it is simply a form that tracks work related injuries and illnesses that meet certain recoding criteria. Unfortunately, many entities have started to use this form to evaluate potential insureds, potential subcontractors and in some instances the information can be used to generate inspection lists for OSHA. In today's construction climate, accuracy of this form is essential below is a discussion of the common pitfalls associated with the keeping of these forms.

The primary purpose of the OSHA 300 log and Recordkeeping requirements is to require employers to report and record work related injuries and illnesses that are experienced by their employees. Though not the primary purpose of these forms, the information also gives prospective customers insight into the types of injuries or illnesses that their subcontractors experience. More savvy customers are using this information, along with agency history and experience modification rates to pre-qualify its subcontractors, further emphasizing the importance of the accuracy of these forms.

Through experience, I have found that most employers struggle with the determination of whether an injury or illness is work related. This determination is made based on whether a workplace condition either directly caused or contributed to the resulting condition, with some exceptions. There is a complete list of exceptions in § 1904.5(b)(2) which include such examples as the common cold or flu, mental illness, and injuries and illness that result from non work related events or exposures, voluntary participation in wellness programs and or company events and those where the signs or symptoms surface at work but are the result of non-work related events or exposures.

The fact that an injury is determined to be work related does not necessarily mean that it is recordable. Another common error that I see is that many employers record injuries, that they report to workman's compensation, on their 300 logs. Workman's compensation and Recordkeeping have nothing to do with each other. Not all compensable injuries are recordable and not all recordable injuries are compensable. For an injury to be recordable it must meet one or more of the General Recording Criteria. This criteria includes work related injuries and illness that result in death, days away from work, days of restricted work or job transfer and medical treatment beyond first aid. A complete list of what is considered first aid is listed in § 1904.7(b)(5)(ii).



The final pitfall, experienced by my many employers, is accurately counting the number of days away from work or days of modified or transitional work. This was one of the more significant changes from the old recordkeeping requirements. When counting days, one must factor in the days that the employee would have been able to work and not the days that they were scheduled to work. In other words, the day count will include weekends, holidays and other days off and will not vary based on whether an employee is full-time or part-time.

A few deadlines you should also be aware of include December 31st and February 1st. The OSHA 300 log should reflect work-related injuries and illness that occur in a calendar year. At the end of the year you should look at the document to ensure accuracy. Once completed, a Summary (OSHA form 300A) should be generated. The OSHA 300A, *Summary of Work Related Injuries and Illnesses*, must then be posted February 1st -April 30th in a conspicuous place where you would normally post employee notices.

Though our first priority should be to prevent work related injuries and illnesses, proper recording of work-related injuries and illnesses that do occur is essential. This information is used in a variety ways, many of which are not to the advantage of employers. Employees, required to keep and maintain these forms, should be trained on what to record, how to record it and the other requirements of OSHA's Recordkeeping regulations. Failure to accurately record and maintain these forms can affect a company's financial viability including fines from the agency and unfavorable outlooks from potential customers and insurance companies.

For more information and training on OSHA's Recordkeeping regulations, look to your local Construction Exchange or OSHA Education Center. Additional resources are available online at: <http://www.osha.gov/recordkeeping/index.html>.

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