

OSHA and Recordkeeping: A Four Step Solution

By Scotty Dunlap

OSHA 300 Log

We are all vulnerable to an OSHA inspection. The key to responding to such an inspection is to be prepared. Inspections may result from an event that occurred at your facility, an employee complaint, or your facility may come up as a target for a random inspection. One area of focus for OSHA Compliance Officers is recordkeeping, so much so that it is an OSHA National Emphasis Program that began on September 28, 2010. 29 CFR 1904 is OSHA's regulation that delineates requirements for maintaining records related to workplace injuries and illnesses.

What forms are required?

OSHA's recordkeeping standard presents three forms, the first of which is the OSHA 301. The OSHA 301 is an incident investigation form. The intent of this form is to explore the incident deeply to determine what the employee was doing prior to the incident, what incident actually occurred, what specific injury occurred, and what caused harm to the employee. The goal is to identify the cause of the incident so that measures can be put in place to prevent future incidents from occurring. Many organizations will maintain a unique in-house incident investigation form rather than utilize the OSHA 301 form. OSHA permits this practice as long as the "equivalent" form contains the same information as is indicated on the OSHA 301. Employers may also typically utilize an incident investigation form to investigate all injuries, but the single legal requirement is to use the form to document "recordable" injuries. Though the regulation goes into a great deal of detail with numerous exceptions, a recordable injury fundamentally is one that requires medical attention beyond first aid to address. An example of a recordable injury is an employee who slips on the floor and falls resulting in a broken

arm. In this case the employee would need to be taken to a hospital for the broken bone to be set and a cast applied. However, if the slip and fall resulted in bruising and soreness that could be treated with first aid, it would not be considered recordable.

Once the employee injury has been addressed and the incident has been investigated and documented through the use of the OSHA 301 or equivalent form, information from the incident will then need to be transferred to the OSHA 300 log. The OSHA 300 log serves as a form to capture general information related to each recordable injury or illness that has occurred at a given facility. It is crucial to understand the criteria of what makes an injury or illness recordable so that the appropriate incidents are listed on the OSHA 300 log. It is this log that can often be requested during an OSHA compliance inspection and can result in recordkeeping violations. Omitting recordable injuries from this log is an OSHA violation. The OSHA 300 log does not include the detail of the OSHA 301 incident investigation form, but for each recordable injury or illness requires you to record:

- The case number, which can arbitrarily begin with 001 and count upward as each new incident is added to the log
- Employee's name
- Employee's job title
- Date of the injury or onset of the illness
- Where the incident occurred in the facility
- Basic description of the injury or illness
- Worst level of result of the incident (death, employee could not return to work, employee was on restricted duty, the employee returned to work with no restrictions)
- The number of days away from work or days of restricted duty if these were experienced
- The type of incident as to whether it was an injury, skin disorder, respiratory condition, poisoning, hearing loss, or other type of illness

The final form used in the recordkeeping process is the OSHA 300A Summary. This document is a macro-level summary of the information contained on the OSHA 300 log. The OSHA 300A contains summary data that is utilized to calculate injury rates. Injury rates provide a metric that can be utilized to accurately compare specific businesses to each other or to national averages maintained by the Bureau of Labor Statistics. At a minimum, the OSHA 300A summary form will need to be completed at the close of each calendar year and posted in the place of employment where employees can see it from February 1 through April 30.

Recordkeeping violations can easily occur if the facility is not executing in all areas of documentation. Failure to document an inspection on the OSHA 301 or equivalent form can result in a violation. A violation can also occur if recordable

injuries are not properly recorded on the OSHA 300 log and applicable summary information transferred to the OSHA 300A. You must become aware of the criteria that makes an injury or illness “recordable” and properly document such incidents using the OSHA 301 or equivalent form, OSHA 300 log and OSHA 300A summary form.

How can employee involvement be utilized?

Safety committees provide an excellent opportunity to facilitate the recordkeeping process. Employees and managers engaged in a safety committee can be used to provide input on corrective action to prevent future incidents from occurring as well as to follow up on such interventions to ensure they have been implemented. A risk present in any facility is to document a recordable injury or illness and to not take action to correct things that caused the incident. A second incident could be classified by an OSHA Compliance Officer as a “willful” violation of a safety regulation that applied to the incident. The term “willful” implies that the employer was aware of the risk, but willfully failed to address it. Safety committees can be utilized to evaluate incident causes and potential solutions to addressing the problem with the goal of implementing and following up on the interventions to ensure

other employees are not injured in the future. This activity indicates a good faith effort on the part of the employer to evaluate incidents, learn from them, and implement preventive measures that will protect employees against similar risks in the future.

How can ongoing preparedness be maintained?

A tool that can be used to maintain ongoing awareness of safety conditions related to injury and illness experience is an audit. Auditing your facility on a periodic basis will help to ensure that attention is specifically given to safety concerns that have surfaced through injury and illness recordkeeping as well as being a tool to proactively address the spectrum of safety risks that affect your facility.

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The first step in establishing a safety audit system is to evaluate the scope of risk that affects your facility. This can include all activity that can result in employee injury, such as maintenance working on equipment

(lockout/tagout), working with hazardous chemicals (hazard communication), or entering a large dryer to untangle sheets (confined space entry). Work will need to be done to effectively identify all safety issues that impact the facility.

Once risks have been identified, *the second step* will be to identify what regulations impact each safety risk. For example, you may identify the risk of maintenance employees working on equipment, whether it is to perform routine maintenance or to clear jams. OSHA has published a lockout/tagout regulation (29 CFR 1910.147). The requirements of this standard will need to be identified.

The third step in the program is to create an audit document. In relation to the lockout/tagout example, once requirements from the regulation are understood they must be converted into a checklist that can be used to routinely review what is occurring in the facility so that ongoing compliance can be achieved. The checklist will be a summary of “yes” and “no” questions that can be used to measure the written program, the work environment, and employee performance. Questions should be stated in such a way that a “no” response indicates an issue. This will allow for easy scanning of the document to identify where deficiencies exist. Audits can occur on a focused area on a frequent basis, such as reviewing lockout/tagout performance, or a comprehensive audit document can be built that addresses all safety issues present at the facility.

The fourth and final step in building an audit is to create a written audit program. This program will record in detail the scope of the audit, who will be involved in the audit, auditor selection and training, frequency of the audit, audit report writing, and audit follow up. The importance of writing the audit program is that it establishes clear procedures on how the audit will be implemented.

Fundamentally, an audit can be used to address all issues that surface as a result of injuries that are documented through OSHA recordkeeping procedures. The audit can help to ensure that all risks identified in the facility are addressed, whether they are risks that are found as a result of an injury or are identified proactively through risk assessments.

About the author... Dr. Scotty Dunlap earned his Doctorate of Education from the University of Memphis and his MS in Loss Prevention and Safety from Eastern Kentucky University. He is a professional member of the American Society of Safety Engineers (ASSE) and is a board certified safety professional (CSP). He is currently an Assistant Professor in the ECU College of Justice & Safety and teaches at the American Laundry & Linen College.

Additional Resources

- OSHA Recordkeeping Regulation
- OSHA Recordkeeping Compliance Directive
- OSHA National Emphasis Program on Recordkeeping
- OSHA Recordkeeping Handbook
- OSHA Recordkeeping Forms
- OSHA Recordkeeping Forms Instructions

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