

OSHA Changes Reporting Requirements for Work-Related Accidents

On September 11, 2014, the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), announced a [final rule](#) amending its injury and illness recording and reporting requirements. Although the rule has not yet been published in the Federal Register, it has been submitted for publication. The final rule will be effective on January 1, 2015.

The most notable change in the rule pertains to the reporting requirement for hospitalizations following work-related accidents. Under the current rule in effect until December 31, 2014, an employer must report an “in-patient hospitalization of three or more employees as a result of a work-related incident” within eight hours. Under the proposed rule, an employer must report an “in-patient hospitalization of one or more employees or an employee’s amputation or an employee’s loss of an eye, as a result of a work-related incident” within 24 hours. The rule also provides another means (besides calling the OSHA Area Office or the 1-800-321-OSHA hotline) for reporting a fatality or hospitalization: electronic submission through a web portal at www.osha.gov. There is also one important distinction: “in-patient hospitalization” in the revised rule is defined as “formal admission to the in-patient service of a hospital or clinic for care or treatment”; the preamble to the rule makes clear that if the admission is for observation or diagnostic testing only, it is not required to be reported. The requirement to report fatalities within eight hours remains unchanged under the revised rule.

The rule also amends the list of industries that do not need to keep injury and illness records unless otherwise informed by OSHA or the Bureau of Labor Statistics. The revised list can be found in the amendment to the Non-Mandatory Appendix A to Subpart B of Part 1904 in the final rule. Employers with ten or fewer employees still need not keep injury and illness records unless otherwise informed by OSHA or the Bureau of Labor Statistics. All employers, regardless of size or industry, must comply with the 8/24 hour reporting requirements for work-related fatalities, hospitalizations, amputations, or loss of an eye as set forth in the rule.

To learn more, contact [Michael D. Billok](#) at (518) 533-3236 or mbillok@bsk.com.



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