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OSHA ISSUES FINAL ELECTRONIC RECORDKEEPING RULE FOR INJURIES

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On May 11, 2016 the U.S. Occupational Safety and Health Administration (OSHA) issued a **final rule** which requires certain employers to electronically submit information regarding workplace injuries and illnesses which then – in a controversial move – will be made public. This rule also bars employers from retaliating against workers for reporting such incidents.

OSHA already requires employers to collect this type of information. However, under the current rule, little or no information about worker injuries and illnesses at individual employers is made available to the public.

The Bureau of Labor Statistics reports that more than three million workers suffer workplace injury or illness every year. Proponents of the new rule claim that making the reported information public will encourage employers to make injury prevention a higher priority and will enable prospective employees to identify the employers and industries in which their risk of injury is the lowest. However, opponents of the rule, including the Coalition for Workplace Safety and the U.S. Chamber of Commerce, believe that the rule will only result in more regulatory burden with no guarantees to improve workplace safety.

The new rule requires employers with more than 250 employees to report to OSHA all information from OSHA forms 300A (Summary of Work-Related Injuries and Illnesses), 300 (Log of Work-Related Injuries and Illnesses) and 301 (Injury and Illness Incident Report). Employers in certain industries who have 20 to 249 employees will also be required to report all information from OSHA form 300A. These industries include construction, manufacturing, home furnishing stores, lawn and gardening equipment and supplies stores, grocery stores, department stores, general freight trucking, warehousing and storage, waste collections, general medical and surgical hospitals and dry cleaning and laundry services.

The rule is scheduled to go into effect on January 1, 2017. Requirements will be phased in over two years, with the first set of data due to OSHA by July 1, 2017.

If you have questions about the information covered in this alert, please contact **Steve Parascandola**.

PROFESSIONALS

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