

Time Out!

How Well Do You Know OSHA?

by Jeff Barrett, CIC

Most people are familiar with the Occupational and Safety Health Administration (OSHA), but they may not know enough about its standards and policies. OSHA's mission is to assure the safety and health of America's workforce by:

- setting and enforcing standards.
- providing training, outreach and education.
- establishing partnerships.
- encouraging continual improvement in workplace safety and health.¹

To that end, OSHA has implemented rules and regulations designed to guide employers as they institute safety measures in their organizations and to inform employees about the types of incidents that are likely to occur in their specific workplaces. By educating all workers about potential exposures, OSHA seeks to reduce workplace-related injuries and illnesses.

How well do you know OSHA rules and regulations?

Following is a short survey you can use to test for OSHA knowledge within your organization. Management personnel and your safety compliance officer should be expected to know all the answers.

1. *How quickly must each injury or illness be recorded?*

Within seven days. Regulation 29 CFR 1904.29(b)(3) states: "You must enter each recordable injury or illness on the OSHA 300 Log and 301 Incident Report within seven (7) calendar days of receiving information that a recordable injury or illness has occurred."

2. *For how many years must OSHA logs be kept?*

Five years (plus current year). From Regulation 29 CFR 1904, *Certification, Summarization and Posting*: "After the end of the year, employers must review the Log to verify its accuracy, summarize the 300 Log information on the 300A summary form and certify the summary. A company executive must sign the certification. This information must then be posted for three months, from February 1 to April 30. The employer must keep the records for five years following the calendar year covered by them and if

the employer sells the business, he or she must transfer the records to the new owner."

3. *What does OSHA consider "timely" regarding production of the OSHA log?*

Four hours. Regulation 1904.40(a) states that "When an authorized government representative asks for the records you keep under Part 1904, you must provide copies of the records within four (4) business hours." Additionally, Regulation 1904.40(b)(2) answers the question "Do I have to produce the records within four (4) hours if my records are kept at a location in a different time zone?" "OSHA will consider your response to be timely if you give the records to the government representative within four (4) business hours of the request. If you maintain the records at a location in a different time zone, you may use the business hours of the establishment at which the records are located when calculating the deadline."

4. *For cases involving days away from work, when do you start counting the days away?*

The day after the incident occurred. According to Regulation 29 CFR Part 1904.7(b)(3)(i), "... you begin counting days away on the day after the injury occurred or the illness began."

5. *Is there a cap to the number of days away from work that must be captured?*

Yes; 180 calendar days. Per Regulation 29 CFR Part 1904.7(b)(3)(vii): "...you may 'cap' the total days away at 180 calendar days. You are not required to keep track of the number of calendar days away from work if the injury or illness resulted in more than 180 calendar days away from work and/or days of job transfer or restriction. In such a case, entering 180 in the total-days-away column will be considered adequate."

6. *Must first aid cases be captured on an OSHA log?*

No. According to OSHA Regulation 29 CFR Part 1904.7, "you must consider an injury or illness to meet the general recording criteria and, therefore, to be recordable, if it results in any of the following: death, days away from work, restricted work or transfer to another job, medical



treatment beyond first aid, or loss of consciousness. You must also consider a case to meet the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first aid, or loss of consciousness." Further, Part 1904.7(b)(1) states that an injury or illness "must be recorded if it results in... medical treatment beyond first aid" (Part 1904.7(b)(1)(iii)).

7. What is the time period in which the Annual Summary must be posted?

Employers must post an Annual Summary that shows all occupational injuries and illnesses reported on the OSHA 300 Log during the previous calendar year. The Summary must be located where employee notices are placed, must be posted no later than February 1 of the following year and must remain in place until April 30 (Regulation 29 CFT Part 1904.32, 1904.32(b)(5) and 1904.32(b)(6)).

8. Within what time frame must a death be reported to OSHA?

OSHA Regulation 29 CFR Part 1904, Reporting of Fatality or Multiple Hospitalization Incidents, states that the employer must "verbally report such incidents *within 8 hours* after the employer learns of it..."²

How did you do?

If you scored six correct, your working knowledge of OSHA is satisfactory. If you scored less than six, you may be exposing yourself to potential problems, which may lead to fines.

More OSHA Facts and Figures

According to the OSHA Enforcement website, 38,579 OSHA inspections were completed in 2006 (the latest year for which statistics are available). As a result of these inspections, 83,913 fines were issued, with a total dollar amount of \$84,413,006.³

A recent survey of MyWave users indicates that over a five-year period, the average OSHA citation was 1. The average fine ranged between \$25,000 and \$50,000.

The MyWave survey also shows that 62 percent of respondents keep their OSHA logs in paper form. There are several time-saving, paperless alternatives available online. For example, MyWave OSHA automatically fills out the OSHA log with statistics the client enters electronically. This system will then complete the organization's annual summary report and Form 300A and Form 301. Additionally, MyWave can track incident rates and provide valuable loss-trend analysis.

OSHA compliance can prove to be a formidable task. Accessing the OSHA website for regulations like those cited above may help provide some answers. Additionally, SilverStone Group offers solutions to help organize and streamline your OSHA reporting requirements. Whether you need to complete a compliance audit or require assistance in training your compliance person, we have the expertise to guide you.

¹ Definition from the OSHA website, www.osha.gov, accessed March 26, 2008.

² Answers verified from the OSHA website, as above.

³ From "OSHA Enforcement: Vital to a Safe and Healthy Workforce," from U.S. Department of Labor/Occupational Safety & Health Administration Web page, accessed on March 27, 2008 at www.osha.gov/dep/enforcement/enforcement_results