

# Underreported Injuries

## Pre-emptive Actions to Reduce OSHA Visits

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Safety incentive programs are more popular than ever – and for good reason. Properly designed programs not only offer business owners the ability to reward employee success, but they are also credited with driving down the number of workplace injuries and accidents, with the goal of ultimately creating significant savings. Furthermore, effective safety incentive programs reduce the number of Occupational Safety and Health Administration (OSHA) recordable injuries each year, therefore reducing the likelihood of a future OSHA visit.

Have you considered a safety incentive program for your business or does your current plan have room for improvement? Incentive programs are an excellent way to pump life into your safety program and highlight practices that create a safer work environment. Companies often set incentive program goals, such as no lost-time injuries or no OSHA recordable injuries over a designated period of time. The goals are then rewarded on individual and company-wide levels. Although these reward programs have a track record for successfully creating safer work environments, there is growing concern that their intended purpose is having a dangerous backlash.

### Good intentions met with deceptive actions

In theory, the shared interest of all employees creates incentives for individuals to do things correctly. Workers feel obliged to avoid shortcuts, to correct fellow employees who are observed performing unsafe acts and to report problems so management can address them before an injury or accident occurs. But do these incentives also create pressure on employees to hide an injury?

More often than not, implementation of an incentive program focused strictly on injury numbers will lead to a reduction in the number of injuries being reported. Great! Right? Well... not always. Has the number of injuries really decreased, or could the incentive program create new problems? These questions have interested OSHA for some time. Recent statements by OSHA officials and OSHA's Injury and Illness

Recordkeeping National Emphasis Program (NEP) have brought this issue to the forefront.

The newly updated NEP, effective September 28, 2010, focuses on the auditing process used to address the underreporting of injuries on OSHA's Form 300. The scope of the restructured NEP is currently limited to manufacturers with lower-than-average incident rates, but stated within the program is the future intent for additional recordkeeping emphasis programs to include other industries, including construction.

### OSHA cracks down

OSHA has particular interest in incentive programs possibly leading to injury cover-ups. Employees may choose to hide an injury in order to obtain an individual reward or to avoid being the one who cost the whole group some shared reward. It is even speculated that this type of deceptiveness is practiced by management, who might decide to leave an injury off the OSHA 300 log "just this once" to retain reward eligibility. To investigate this concern, OSHA compliance officers may go beyond a simple paper audit and collect questionnaires and perform interviews with a sample of employees and management representatives. These questionnaires and interviews are designed to determine whether incentive programs might inadvertently encourage the underreporting of injuries or accidents.

In a statement released October 21, 2010, Labor Secretary Hilda L. Solis underlined OSHA's renewed focus on this issue, stating:

*Complete and accurate workplace injury records can serve as the basis for employer programs to investigate injuries and prevent future occurrences. Most employers understand this and do their best to prevent worker injuries, but some do not. That is why my department's Occupational Safety and Health Administration is aggressively working to ensure the completeness and accuracy of injury data compiled by the nation's*



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*employers. We are concerned about the widespread existence of programs that discourage workers from reporting injuries, and we will continue to issue citations and penalties to employers that intentionally under-report workplace injuries.<sup>1</sup>*

If your incentive program currently bases rewards on the number of injuries or accidents reported, it may be time to consider alternative evaluation criteria. In the meantime, make sure you are able to demonstrate that your existing program does not discourage reporting. Confirm that there is a written policy making injury reporting mandatory. Document that employees have received training on the injury reporting policy and keep records of any corrective actions that have taken place when employees fail to report injuries.

#### Focus on prevention

To sidestep any threat of future OSHA scrutiny over your incentive program, consider basing the program on activities that are geared toward accident prevention. Numerous pre-emptive actions are performed in workplaces with the intent of reducing the number of accidents and injuries. These activities might include, among others, safety inspections, up-to-date employee safety training and individual employee assessments to ensure that appropriate personal protective equipment is being worn or used. Safety related discipline serves to deter others from making similar mistakes in the future. These preventative or “forward-looking” activities provide an excellent foundation for a successful incentive program.

#### Implementing a safety incentive program

Before you make any final decisions on the criteria used in an incentive program, it’s important to measure employee attitudes and awareness of the current safety program. Confidential employee surveys are typically used for this purpose. This data can assist in selecting criteria that will provide the most “bang for your buck,” but can also be used as a baseline on which to measure any future shift in employee attitudes and awareness levels.

If you’re considering a safety incentive program or are rethinking your current program, SilverStone Group’s safety engineering department is available to assist you.

<sup>1</sup> Solis, Hilda L. Statement of Labor Secretary Hilda L. Solis on reported decline in workplace injuries and illnesses. U.S. Department of Labor. October 21, 2010. Web. October 23, 2010. <[www.osha.gov](http://www.osha.gov)>