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Recordable or not?

A dive into OSHA's recordkeeping requirements



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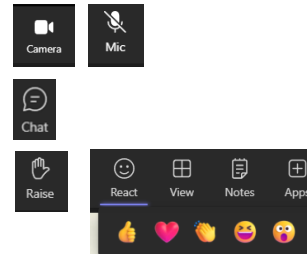


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Enhance your interactive webcast event!

- **Webcam:** Turn cameras on for an optimal experience.
- **Chat:** Use live chat feature to discuss today's topics.
- **Reaction buttons:** Click to respond during event.
- **Keynote:** Enjoy presentation by our experts. (30 min.)
- **Breakout rooms:** Discuss topic(s) in small, breakout groups. (10 min.)
- **Final thoughts:** Return to the main session for follow-up discussion. (10 min.)
- **Wrap-up time:** Go over any final Q&As. (10 min.)
- **Troubleshoot:** Leave accidentally? Use your email link to return.



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MEET TODAY'S PRESENTERS



Edwin Zalewski
Senior Editor
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Agenda

Keynote presentation topics:

1. OSHA's justification for 300 Log standards
2. Understanding the "work environment," and
3. Applying the exceptions.



Breakout group questions:

- See our Handout!
- After group discussion, we'll go over the answers



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OSHA's intent behind the 300 Log

- Any injury at work is presumed to be work-related
- Avoids confusion about causes and percentages
- A recordable incident does NOT mean the employer:
 - Was at fault
 - Violated a standard
 - Could have prevented it
 - Did anything wrong



OSHA's own words

- The general rule is that all injuries and illnesses which result from events or exposures occurring to employees on the employer's premises are presumed to be work related.
- The nature of the activity which the employee is engaged in at the time of the event or exposure, the degree of employer control over the employee's activity, the preventability of the incident, or the concept of fault do not affect the determination.
- Final Rule Preamble dated January 19, 2001

Present for the job (not “on the clock”)



- Work environment defined:
 - Company establishment and property
 - Any place employees are working (customer sites)
 - Employees are “**present as a condition of their employment**”
- Tripping on a level factory floor
 - No hazard identified, no corrective action
- Injuries in company parking lots

Injuries at home? 1904.5(b)(7)

- Work-related **only** if:
 - Performing work for pay, AND
 - Directly related to job performance, NOT caused by home environment
- Caused by home, not recordable
 - Example: Slips on ice in driveway
- Unlike on company property, both conditions must apply



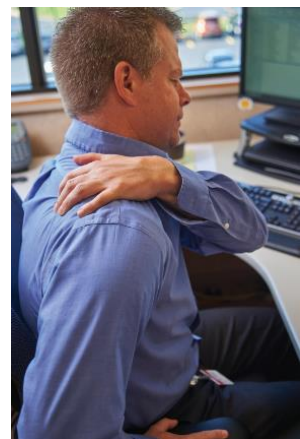
Exceptions if injury/illness:



- Results solely from a non-work-related event or exposure.
- Solely result of personal tasks at the establishment outside of assigned working hours.
- Solely the result of personal grooming, self medication for a non-work-related condition, or is intentionally self-inflicted.

Restrictions that don't restrict work

- Restrictions must affect one or more “**routine** job functions”
- Defined as “work activities the employee regularly performs at least once per week”
- Example: No lifting more than 20 pounds:
 - Might restrict someone in the shipping department
 - Might not restrict an office worker



Quiz Time! Discussion questions

- Eight questions taken from OSHA guidance and regulations
- These questions may spark discussion on similar cases
- Moving to breakout rooms, take 20 minutes for the quiz
- You'll automatically return to the main room in 20 minutes
- We'll go over the answers (and why OSHA ruled that way)
- We'll take any other questions you have as time allows

Breakout groups

Approximately a 20-minute discussion on:

- Do your best on the quiz questions
- Note any similar cases you've seen. Did you record them correctly?



Cindy & Edwin will pop in to chat with you!

Quiz Time! Answers

1.	An employee gets injured at work, sees a doctor, and is given an over-the-counter medication. While doing yard work at home that weekend, the injury got worse and the employee now needs restrictions at work that limit his routine job functions. Is this recordable as a restricted work case? Yes. https://www.osha.gov/laws-regs/standardinterpretations/2021-03-17-1
2.	An employee traveling for work checks into a hotel, but falls in hotel room shower, gets injured, and needs medical treatment. Is this work-related and recordable? No. See 1904.5(b)(6)

Quiz Time! Answers

3.	Due to a workplace injury, an employee cannot use his left arm for one week but can still perform all duties, just more slowly. Is this recordable as a restricted work case? No. https://www.osha.gov/recordkeeping/faq-search search "left arm"
4.	Two employees get in an argument in the parking lot before work. One pulls a knife and stabs the other, requiring sutures. Is this work-related and recordable? Yes. https://www.osha.gov/laws-regs/standardinterpretations/2009-02-09

Quiz Time! Answers

5.	An employee brushing snow off her car at the end of the workday twists an ankle, needing a rigid brace (medical treatment). Is this work-related and recordable? Yes. https://www.osha.gov/recordkeeping/faq-search search "snow"
6.	During an unpaid lunch break, an employee who stayed on company property steps outside for a smoke break. He slips on ice and gets injured, needing medical treatment. Is this work-related and recordable? Yes. https://www.osha.gov/laws-regs/standardinterpretations/2005-03-10

Quiz Time! Answers

7.	An employee on restrictions due to a work-related injury must occasionally take a day off to attend follow-up appointments with the doctor. Are those absences considered days away? No. https://www.osha.gov/laws-regs/standardinterpretations/2005-11-30
8.	An employee gets struck in the mouth by an object at work, damaging their dentures, but has no other injury. Is this recordable? No. https://www.osha.gov/laws-regs/standardinterpretations/2007-04-03

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