Cal/OSHA Recordkeeping Requirements

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Objectives

- Explain what constitutes a recordable injury and/or illness
- Discuss how to fill out Cal/OSHA 300 Log
- Explain when you must post the Cal/OSHA 300A Form
- Explain how long you must retain the required records
California Recordkeeping

- Initiated on September 14, 2001 by the Division of Labor Statistics and Research
- Provisions are in the CA Code of Regulations, Title 8, Sections 14300-14300.48
Purpose of 14300

- Requires recording of work-related fatalities, certain injuries and illnesses
Recording vs Reporting

**Recording**
- Partial exemptions (sections 14300.1 & 14300.2), based on various SIC codes or size of company (i.e., do not have to record work-related fatalities, injuries, and illness on the Cal/OSHA Form 300)

**Reporting**
- No exemptions, all employers must report:
  - Immediately any serious occupational injury, illness or death to the Division of Occupational Safety and Health (DOSH), as required by Title 8, Section 342; and
  - Occupational injury, illness to the Division of Labor Statistics and Research (DLSR).
Recording Criteria

14300.4-14300.29
Recording Criteria

- 14300.4 - Recording Criteria
- 14300.5 - Work-relatedness
- 14300.6 - New case
- 14300.7 - General recording criteria
- 14300.8 - Recording Criteria for Needlesticks and Sharps Injuries
- 14300.9 - Recording Criteria for Medical Removal Under Cal/OSHA Standards
- 14300.10 - Recording Criteria for Cases Involving Occupational Hearing Loss
- 14300.11 - Recording Criteria for Work-related Tuberculosis Cases
- 14300.12 - Recording Criteria for Cases Involving Work-Related Musculoskeletal Disorders
- 14300.29 - Forms
Employers must record each fatality, injury, or illness that is:

- Work-related,
- A new case, AND
- Meets one or more of the general or specific recording criteria
A case is considered work-related if an event or exposure in the work environment:
- Either caused or contributed to the resulting injury or illness, or
- Significantly aggravated a pre-existing injury or illness.
What is considered “work environment”?

- Physical location of work
- Equipment or materials used by the employee during the course of their work
Work-Relatedness Exceptions

- The injury or illness was caused by:
  - Participation in a wellness program
  - Personal grooming or self-medication for non-work-related condition
  - An intentionally self-inflicted act
  - Motor vehicle accident in parking lot or access road during commute
  - Common cold or flu
Exceptions continued

- Symptoms surface at work that are solely due to non-work-related event or exposure
- Employee was present in the work environment as a member of the general public
- Employee has a mental illness
Traveling and Work-Relatedness

An injury or illness that occurs while an employee is on travel status IS work-related if it occurred while the employee was engaged in work activities in the interest of the employer.
How to Record Injuries and Illnesses
General Recording Criteria

- Significant injury or illness diagnosed by a physician or LHCP
- Loss of consciousness
- Medical treatment beyond first aid
- Transfer to another job
- Restricted work
- Days away from work
- Death
Fatalities

- Mark the column for death
Days Away

- Days Away:
  - Enter # of calendar days in the away from work column
  - Exclude the day of injury or illness
  - Cap the total at 180 calendar days
  - Count the # of calendar days the employee was unable to work regardless of whether or not the employee was scheduled to work or not
Restricted Work

- Occurs when the employee is kept from performing:
  - One or more “routine functions” of the job
  - Working a full day

- Count just like days away from work
- Do not count if it is limited to only the day of the injury
Job Transfer

- Means the injured or ill employee is assigned to a job other than their regular job for at least a part of any work day.
- Stop counting if a permanent modification is made to a job or the employee is permanently assigned to the modified job.
Medical Treatment Beyond First Aid

- Means the management and care of a patient to combat disease or disorder

- Does NOT include:
  - Visits to LHCP solely for observation or counseling
  - Diagnostic procedures
  - First aid
First Aid

- Nonprescription meds at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing or soaking wounds on the surface of the skin
- Wound coverings such as bandages, gauze, etc.
- Hot or cold therapy
- Non-rigid means of support
First aid continued

- Temporary immobilization devices (e.g. splints, slings, neck collars, etc.)
- Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister
- Eye patches
- Removing foreign bodies from the eye using irrigation or cotton swab
- Removing splinters or foreign materials from other areas by irrigation, tweezers, cotton swabs, etc.
More first aid

- Using finger guards
- Massages
- Drinking fluids for relief of heat stress

This is a complete list of ALL treatments considered first aid for purposes of Article 2.
Loss of Consciousness

- Must be recorded regardless of the length of time the employee remains unconscious
Significant Diagnosed Injury or Illness

- Includes (but is not limited to) cancer, chronic irreversible diseases (ex: asbestosis, silicosis), fractured or cracked bones, punctured eardrums
Recording Needlesticks and Sharps

- Record Exposures to blood or OPIM as:
  - **Injuries** if sticks or cuts from sharps are involved
  - **Illnesses** if a splash or other exposure result in a diagnosis of a bloodborne illness (ex: HIV, Hepatitis C)
  - **Medical treatment beyond first aid** (ex: HIV prophylaxis, Hep B Immune globulin, Hep B Vaccination)
Recording Needlesticks and Sharps

- If cuts, lacerations, punctures or scratches are work-related and do not involve contamination with another person's blood or OPIM then record only if the incident involved:
  - Death
  - Days away from work
  - Restricted work
  - Transfer to another job
  - Medical treatment beyond first aid
  - Loss of consciousness
  - Significant injury or illness diagnosed by a physician or other licensed health care professional
Privacy Concern Cases

- Injury or illness to an intimate body part or the reproductive system
- Injury or illness resulting from a sexual assault
- Mental illnesses
- HIV infection, hepatitis, or tuberculosis
- Needlestick injuries and cuts from sharps that are contaminated with another persons blood or OPIM
- If the employee independently and voluntarily requests that his or her name not be entered on the log
Forms
Cal/OSHA Forms 300 & 301
Forms

Complete Cal/OSHA Forms 300 & 301 or equivalent form within 7 calendar days of receiving information of a recordable case

- Cal/OSHA Form 300 - Log of Work-Related Injuries and Illnesses
- Cal/OSHA Form 301 - Injury and Illness Incident Report
Annual Summary

Requirements

- Review the Cal/OSHA Form 300
- Create an annual summary of injuries and illnesses using Cal/OSHA Form 300A
- Certify the annual summary
- Post the annual summary
Reviewing the Annual Summary

- You must review the entries as extensively as necessary to make sure they are complete and correct.
Creating the Summary

1. Total the columns on the Cal/OSHA Form 300
2. Enter the calendar year covered, the company’s name, establishment name, establishment address, annual average number of employees covered, AND total hours worked by all covered employees
Certifying the Summary

A company executive must certify that he or she has examined the Cal/OSHA Form 300.

Who is considered a company executive?

- An owner of the company
- Officer of the corporation
- Highest ranking company official
- Immediate supervisor of the highest ranking official
Posting the Summary

- Post in a conspicuous place or places where notices to employees are customarily posted.
- Must be posted no later than February 1 through April 30.
Covered Employees

- All employees on your payroll, including:
  - Labor
  - Executive
  - Hourly
  - Salary
  - Part-time
  - Seasonal
  - Migrant worker
What about traveling nurses?

- If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

- In a nutshell, they would probably fall under your organization's supervision.
Retention and Updating

- Retain forms for 5 years after the year the form covers.
- Update Cal/OSHA Form 300 during retention period if:
  - Newly discovered recordable cases arise
  - Changes occur in the classifications
  - Changes occur in the description or outcome
- You do not need to update the Cal/OSHA Form 300A or Cal/OSHA 301 during the retention period.
Basic Requirements for Employee Involvement

- Inform each employee of how he or she is to report an injury or illness to you
  - Establish a procedure to report
  - Inform employees on how to follow the procedure

- Provide limited access to your injury and illness records for your employees and their representatives
Overview

- Post your summary from February 1-April 30
- Retain records for 5 years
- Train employees on how to report all injuries and illnesses
Questions?
Resources

- http://www.dir.ca.gov/dosh/etools/recordkeeping/SubjectIndex/SubjectIndex.htm