

COMPLIANCE OVERVIEW

Provided by Millhiser Smith Agency, Inc.

Reporting Serious Injuries to OSHA

The Occupational Safety and Health Act of 1970 (OSH Act) requires covered employers to report certain work-related injuries and illnesses to the Occupational Safety and Health Administration (OSHA). OSHA is a part of the U.S. Department of Labor and is responsible for administering the OSH Act.

OSHA updated reporting requirements through a [final rule](#) that became effective on Jan. 1, 2015. Under current standards, employers must report any work-related employee fatality within **eight hours**, and any inpatient hospitalization, amputation or loss of an eye within **24 hours**.

In addition, a new final rule will require certain employers to electronically submit data from the OSHA 300, 300A and 301 Forms on an annual basis.

LINKS AND RESOURCES

- OSHA recording and reporting [website](#)
- OSHA [Serious Event Reporting Online Form](#)
- OSHA reporting [final rule](#)
- OSHA [electronic reporting](#) final rule

HIGHLIGHTS

WHEN TO REPORT

- Report work-related fatalities within eight hours.
- Report inpatient hospitalizations, amputations or losses of an eye within 24 hours.

HOW TO REPORT

- By telephone at 1-800-321-OSHA (6742);
- By calling or visiting the nearest area office during normal business hours; or
- By using the online [form](#).

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This Compliance Overview is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice.

REPORTING REQUIREMENTS

As of **Jan. 1, 2015**, OSHA requires employers to report any work-related employee fatality **within eight hours**, and any inpatient hospitalization, amputation or loss of an eye **within 24 hours**. Employers are required to submit these reports to OSHA:

- By telephone at 1-800-321-OSHA (6742);
- By calling or visiting the nearest area office during normal business hours; or
- Through a website that is currently under development.

EMERGENCY NOTICE:

If you have an **EMERGENCY** (for example: to report a fatality or imminent life-threatening situation), please contact our toll-free number immediately.

1-800-321-OSHA (6742) - TTY 1-877-889-5627

These reporting requirements are a part of the [final rule](#) that also updates the employers that are [partially exempt](#) from OSHA's recordkeeping requirements. Other workplace injuries and illnesses do not have to be reported to OSHA, but must be recorded pursuant to OSHA's recordkeeping requirements (unless the employer is subject to an exemption). Contact Millhiser Smith Agency, Inc. if you have questions about recording other types of injuries or illnesses.

Time Requirements for Reporting

The final rule sets time requirements for notifying OSHA of **reportable events** (fatality, inpatient hospitalization, amputation or loss of an eye). A fatality must be reported whether it occurs immediately or whether it occurs within 30 days of when the work-related incident took place. An inpatient hospitalization, amputation or loss of an eye is a reportable event only if it takes place within 24 hours of the incident.

OSHA defines an inpatient hospitalization as "a formal admission to the inpatient service of a hospital or clinic for care or treatment." Hospitalizations for observation or diagnostic testing are not reportable events. An amputation is the traumatic loss of a limb or other external body part. Amputations can be full or partial, and they can happen with or without bone. Amputations do not include avulsions, enucleations, degloving, scalping, severed ears or broken (or chipped) teeth.

The reporting clock does not begin until the employer or its agents learn about the reportable event. OSHA offers the following illustration:

If an employee suffers a work-related injury at 9 a.m. and dies from that injury at 10 a.m., and the employer or the employer's agent(s) learn of the fatality (the reportable event) at 10 a.m., then the employer would be required to report the fatality (the reportable event) to OSHA within eight hours of the fatality (the reportable event)—that is, 6 p.m.

2

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Required information

Employers must give OSHA the following information for a reportable incident:

- The employer's name;
- The location of the reportable event;
- The time of the reportable event;
- The type of reportable event;
- The number of employees affected by the reportable event;
- The names of all employees affected by the reportable event;
- The employer's contact person and his or her phone number; and
- A brief description of the work-related incident.

EMPLOYERS SUBJECT TO OSHA

The OSH Act covers private sector employers and employees in all 50 states, the District of Columbia, and other U.S. jurisdictions, either directly through [federal OSHA](#) or through an [OSHA-approved state program](#). Employees who work for state and local governments are not covered by federal OSHA, but may have OSH Act protections through an [OSHA-approved state program](#).

Federal agencies must have a safety and health program that meets the same standards as those applicable to private employers. Although OSHA does not fine federal agencies, it does monitor federal agencies and respond to workers' complaints. The United States Postal Service (USPS) is covered by OSHA.

The following individuals are not covered by the OSH Act:

- Self-employed individuals; and
- Immediate family members of farm employers that do not employ outside employees.

In addition, OSHA does not regulate workplace hazards that are regulated by another federal agency, such as the Mine Safety and Health Administration or the Federal Aviation Administration.

Source: Occupational Safety and Health Administration