



OSHA Changes Requirements for Recording and Reporting Workplace Injuries and Illnesses – Effective Jan. 1, 2015

The OSHA Standard for Recording and Reporting Occupational Injuries and Illnesses, 29 C.F.R. § 1904, requires that certain employers track work-related injuries and illnesses of their employees throughout the year, post the summaries of those injuries at the end of the year, maintain records for five years and report to OSHA certain work-related incidents. This *GT Alert* will identify the most recent changes to the requirements. A comprehensive review of the requirements were addressed in an August 2012 *GT Alert*, [OSHA Requirements for Reporting and Recording Workplace Injuries and Illnesses](#). The posting requirements were addressed in a January 2012 *GT Alert*, [OSHA Alert - February 1 Deadline for OSHA 300-A](#).

There were two changes to the standard that went into effect Jan. 1, 2015. The first is related to the list of exempt businesses that do not have to comply with the recording requirements of the standard. The second change is related to the reporting requirement for all businesses to report to OSHA certain types of incidents involving employee injuries, hospitalization and death.

Do the Recording Requirements Apply to My Business?

If a company has 10 or fewer employees in the entire company at all times during the year, it does not have to record injuries and keep the records required by the standard. Historically, businesses classified as low hazard retail, service, finance, insurance or real estate industry were not required to keep the records. Appendix A to the old standard provided a complete listing of exempt businesses by Standard Industrial Classification (SIC) code. OSHA has eliminated some businesses from exempt status in the new version of the standard and includes the exempt businesses by reference to NAISC codes. The new standard that lists the exempt businesses is reproduced in Appendix A.

Do the Reporting Requirements Apply to My Business?

Even if your company is exempt from the recording requirements, it still must comply with the reporting requirements. The old standard required all employers to report to OSHA within eight hours of learning of any workplace fatality or the hospitalization of three or more employees which occurred within 30 days of a workplace incident. The new standard has broadened the reporting requirement to now include the hospitalization of one or more employees and any amputation or loss of an eye. As with the old standard, under the new standard the employer can call their local area office or 800-321-OSHA. The requirement to report deaths due to heart attack, which may not appear to be work-related but occurred at the workplace, is still a requirement of the standard.

29 CFR § 1904 APPENDIX A

Non-Mandatory Appendix A to Subpart B — Partially Exempt Industries

Employers are not required to keep OSHA injury and illness records for any establishment classified in the following North American Industry Classification System (NAICS) codes, unless they are asked in writing to do so by OSHA, the Bureau of Labor Statistics (BLS), or a state agency operating under the authority of OSHA or the BLS. All employers, including those partially exempt by reason of company size or industry classification, must report to OSHA any employee's fatality, in-patient hospitalization, amputation or loss of an eye (see § 1904.39).

NAICS Code Industry

- 4412Other Motor Vehicle Dealers
- 4431Electronics and Appliance Stores
- 4461Health and Personal Care Stores
- 4471Gasoline Stations
- 4481Clothing Stores
- 4482Shoe Stores
- 4483Jewelry, Luggage, and Leather Goods Stores
- 4511Sporting Goods, Hobby, and Musical Instrument Stores
- 4512Book, Periodical, and Music Stores
- 4531Florists
- 4532Office Supplies, Stationery, and Gift Stores
- 4812Nonscheduled Air Transportation
- 4861Pipeline Transportation of Crude Oil
- 4862Pipeline Transportation of Natural Gas

- 4869Other Pipeline Transportation
- 4879Scenic and Sightseeing Transportation, Other
- 4885Freight Transportation Arrangement
- 5111Newspaper, Periodical, Book, and Directory Publishers
- 5112Software Publishers
- 5121Motion Picture and Video Industries
- 5122Sound Recording Industries
- 5151Radio and Television Broadcasting
- 5172Wireless Telecommunications Carriers (except Satellite)
- 5173Telecommunications Resellers
- 5179Other Telecommunications
- 5181Internet Service Providers and Web Search Portals
- 5182Data Processing, Hosting, and Related Services
- 5191Other Information Services
- 5211Monetary Authorities Central Bank
- 5221Depository Credit Intermediation
- 5222Nondepository Credit Intermediation
- 5223Activities Related to Credit Intermediation
- 5231Securities and Commodity Contracts Intermediation and Brokerage
- 5232Securities and Commodity Exchanges
- 5239Other Financial Investment Activities
- 5241Insurance Carriers
- 5242Agencies, Brokerages, and Other Insurance Related Activities
- 5251Insurance and Employee Benefit Funds
- 5259Other Investment Pools and Funds
- 5312Offices of Real Estate Agents and Brokers
- 5331Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
- 5411Legal Services
- 5412Accounting, Tax Preparation, Bookkeeping, and Payroll Services

- 5413Architectural, Engineering, and Related Services
- 5414Specialized Design Services
- 5415Computer Systems Design and Related Services
- 5416Management, Scientific, and Technical Consulting Services
- 5417Scientific Research and Development Services
- 5418Advertising and Related Services
- 5511Management of Companies and Enterprises
- 5611Office Administrative Services
- 5614Business Support Services
- 5615Travel Arrangement and Reservation Services
- 5616Investigation and Security Services
- 6111Elementary and Secondary Schools
- 6112Junior Colleges
- 6113Colleges, Universities, and Professional Schools
- 6114Business Schools and Computer and Management Training
- 6115Technical and Trade Schools
- 6116Other Schools and Instruction
- 6117Educational Support Services
- 6211Offices of Physicians
- 6212Offices of Dentists
- 6213Offices of Other Health Practitioners
- 6214Outpatient Care Centers
- 6215Medical and Diagnostic Laboratories
- 6244Child Day Care Services
- 7114Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures
- 7115Independent Artists, Writers, and Performers
- 7213Rooming and Boarding Houses
- 7221Full-Service Restaurants
- 7222Limited-Service Eating Places

- 7224Drinking Places (Alcoholic Beverages)
- 8112Electronic and Precision Equipment Repair and Maintenance
- 8114Personal and Household Goods Repair and Maintenance
- 8121Personal Care Services
- 8122Death Care Services
- 8131Religious Organizations
- 8132Grantmaking and Giving Services
- 8133Social Advocacy Organizations
- 8134Civic and Social Organizations
- 8139Business, Professional, Labor, Political, and Similar Organizations.

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