


Acknowledgement


To the best of our knowledge, the information presented during this session and the reference material(s) provided is current as of the presentation date. Information on risks, policies and government regulations may change over time. Should changes occur, it is your responsibility to determine the impact on this material and we suggest you update your practices and procedures as needed.

The information within this presentation is not intended to be comprehensive and additional information may be necessary to meet your specific needs.

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Measuring Safety Program Effectiveness with OSHA Recordkeeping and Industry Incident Rates


September 2020

Kurt Kumlin, CSP, ARM
Sr. Loss Control Consultant
Integrated Loss Control, Inc.

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Objectives

- OSHA Recordkeeping Requirements
- Completing, Updating and Posting OSHA 300 Log
- General Recordkeeping Criteria
- Rate Calculations
- Injury Tracking Application


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Purpose (of the Rule)

- To require employers to record and report work-related fatalities, injuries and illnesses
 - Note: Recording or reporting a work-related injury, illness, or fatality does not mean the employer or employee was at fault, an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.
- OSHA injury and illness recordkeeping and Workers' Compensation are independent of each other




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Subpart B - Scope

- 1904.1 – Small employer partial exemptions
- 1904.2 – Industry partial exemptions (see Appendix A to Subpart B for complete list)




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Partial Exemption

Employers that are **partially** exempt from the recordkeeping requirements because of their size or industry must continue to comply with:

- 1904.39, Reporting fatalities and multiple hospitalization incidents
- 1904.41, Annual OSHA injury and illness survey (if specifically requested to do so by OSHA)
- 1904.42, BLS Annual Survey (if specifically requested to do so by BLS)




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1904.1 – Size Exemption

- If your organization had **10 or fewer employees** at all times during the last calendar year, you do not need to keep the injury and illness records unless surveyed by OSHA or BLS.
 - The size exemption is based on the number of employees in the entire organization.
 - Including temporary employees who you supervised on a day to day basis in the count.




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1904.2 - Industry Exemption

- In Minnesota all industries in agriculture, construction, manufacturing, transportation, utilities and wholesale trade sectors are covered.
- In Federal OSHA states some industries in the retail and service sectors are partially exempt.
 - Appendix A to Subpart B lists partially exempt industries.




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Recording Criteria

Subpart C - Recordkeeping Forms and Recording Criteria

- 1904.4 Recording criteria
- 1904.5 Work-relatedness
- 1904.6 New case
- 1904.7 General recording criteria
- 1904.8 Needlesticks and sharps
- 1904.10 Hearing loss
- 1904.29 Forms




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1904.4 – Recording Criteria

- Covered employers must record each fatality, injury or illness that:
 - is work-related, and
 - is a new case, and
 - meets one or more of the criteria contained in sections 1904.7 through 1904.11.




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5 Step Process

1. Did the employee experience an injury or illness?
2. Is the injury or illness work-related?
3. Is the injury or illness a new case?
4. Does the injury or illness meet the general criteria or the application to specific cases?
If ALL Responses are YES then...
5. Record the injury.




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Did the employee experience an injury or illness?

Definition [1904.46]

An injury or illness is an **abnormal condition or disorder**. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, a skin disease, respiratory disorder, or poisoning. And Viral infection.



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Is the injury or illness work-related?

Determination of Work-Relatedness [1904.5]

Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the **work environment** unless an exception specifically applies.

A case is presumed work-related if, and only if, an event or exposure in the work environment is a discernible cause of the injury or illness or of a significant aggravation to a pre-existing condition.

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Is the Injury/Illness a New Case?

Determination of a New Case

Consider an injury or illness a “new case” if the employee has not previously experienced a recorded injury or illness of the same type that affects the same part of the body,

OR

the employee previously experienced a recorded injury or illness of the same type that affected the same part of body but had recovered completely from the previous injury or illness

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Does the Injury/Illness Meet Criteria?

General Recording Criteria 1904.7

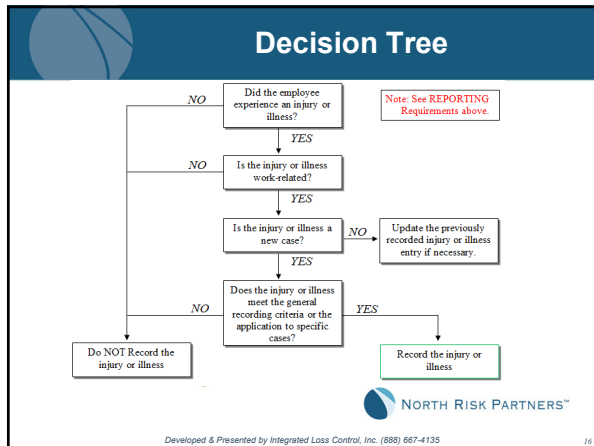
An injury or illness is recordable if it results in one or more of the following:

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

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Record the Injury or Illness

- If the criteria is met you **must record** it on the OSHA 300 Log.
- If the injury or illness did not involve death, one or more days away from work, one or more days of restricted work, or one or more days of job transfer, you enter a check mark in the box for Other Recordable Cases*

(*Cases where the employee received medical treatment but remained at work and was not transferred or restricted.)

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1904.7(b)(3) - Days Away From Work Cases (DAWC)

- Record if the case involves one or more days away from work.
- Check the box for days away cases and count the number of days.
- Do not include the day of injury/illness.

Classify the case CHECK ONE (1) ONLY box for each case based on the most serious outcome for that case.				Enter the number of days the injured or ill worker was:		Check the "Injury" column or choose one type of illness:											
Remained at Work				Away from work		Injury											
Death	Days away from work	Job transfer or restriction	Other recordable cases	On job transfer or restriction	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days
(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	(T)	(U)	(V)	(W)	(X)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___ days ___ days	___ days ___ days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	___ days ___ days	___ days ___ days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


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1904.7(b)(3) - Days Away From Work Cases (DAWC)

- Day counts (days away or days restricted)
- Count the number of calendar days the employee was unable to work (include weekend days, holidays, vacation days, etc.)
- Cap day count at 180 days away and/or days restricted. *(ILC's OSHA 300 does this for you automatically)*
- May stop day count if employee leaves organization for a reason unrelated to the injury or illness.
- If a medical opinion exists, employer must follow that opinion.


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1904.7(b)(4) - Restricted Work Cases

- Record if the case involves one or more days of restricted work or job transfer
- Check the box for restricted/transfer cases and count the number of days
- Do not include the day of injury/illness
- Restricted work activity exists if the employee is:
 - Unable to work the full workday he or she would otherwise have been scheduled to work; or
 - Unable to perform one or more routine job functions
- An employee's routine job functions are those activities the employee regularly performs at least once per week

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1904.7(b)(4) – Job Transfer

Job Transfer:

- An injured or ill employee is assigned to a job other than his or her regular job for part of the day.
- A case is recordable if the injured or ill employee performs his or her routine job duties for part of a day and is assigned to another job for the rest of the day.



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1904.7(b)(5) – Medical Treatment Beyond First Aid

- Medical treatment is the management and care of a patient to combat disease or disorder.
- It does **NOT** include:
 - Visits to a PLHCP solely for observation or counseling
 - Diagnostic procedures
 - First aid






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1904.7(b)(5) – First Aid

- Using nonprescription medication at nonprescription strength
- Tetanus immunizations
- Cleaning, flushing, or soaking surface wounds
- Wound coverings, butterfly bandages, Steri-Strips
- Hot or cold therapy
- Non-rigid means of support
- Temporary immobilization device used to transport accident victims





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1904.7(b)(5) – First Aid (cont'd)

- Drilling of fingernail or toenail, draining fluid from blister
- Eye patches
- Removing foreign bodies from eye using irrigation or cotton swab
- Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Finger guards
- Massages
- Drinking fluids for relief of heat stress




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1904.7(b)(7) – Significant Diagnosed Injury or Illness

The following work-related conditions must always be recorded at the time of diagnosis by a PLHCP:

- Cancer
- Chronic irreversible disease
- Punctured eardrum
- Fractured or cracked bone or to







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1904.8 – Bloodborne Pathogens

- Record as an injury all work-related needle sticks and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material (includes human bodily fluids, tissues and organs; other materials infected with HIV or HBV such as laboratory cultures).
- Record splashes or other exposures to blood or other potentially infectious material if it results in diagnosis of a bloodborne disease or meets the general recording c






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1904.10 – Hearing Loss

Must record all work-related hearing loss cases where:

- Employee has experienced a Standard Threshold Shift (STS)¹, and
- Employee's hearing level is 25 decibels (dB) or more above audiometric zero [averaged at 2000, 3000, and 4000 hertz (Hz)] in the same ears as the STS.



¹ An STS is defined in OSHA's noise standard at 29 CFR 1910.95(g)(10)(i) as a change in hearing threshold, relative to the baseline audiogram, of an average of 10 dB or more at 2000, 3000, and 4000 Hz in one or both ears.




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1904.10 – Hearing Loss (cont'd)

- Must compute the STS in accordance with OSHA's noise standard, 1910.95.
- Compare employee's current audiogram to the original baseline audiogram or the revised baseline audiogram allowed by 1910.95(g)(9).
- May adjust for aging to determine whether an STS has occurred using tables in Appendix F of 1910.95.
- May not adjust for aging to determine whether or not hearing level is 25 dB or more above audiometric zero.


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1904.29 - Forms

- OSHA Form 300 - *Log of Work-Related Injuries and Illnesses*
- OSHA Form 300A - *Summary of Work-Related Injuries and Illnesses*
- OSHA Form 301 - *Injury and Illness Incident Report*




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1904.29 - Forms

Employers must enter each recordable case on the forms within **7 calendar days** of receiving information that a recordable case occurred.




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1904.30 – Multiple Business Establishments

- Keep a separate OSHA Form 300 for each establishment that is expected to be in operation for more than a year.
- May keep one OSHA Form 300 for all short-term establishments.
- Each employee must be linked with one establishment.





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1904.31 – Covered Employees

- Employees on payroll
- Employees not on payroll who are supervised on a day-to-day basis
- Exclude self-employed and partners
- Temporary help agencies should not record the cases experienced by temp workers who are supervised by the using firm






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1904.32 – Annual Summary

1. Review OSHA Form 300 for completeness and accuracy, correct deficiencies
2. Complete OSHA Form 300A
3. Certify Summary
4. Post Summary




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1904.32 – Annual Summary

- A company executive must certify the summary:
 - An owner of the company
 - An officer of the corporation
 - The highest ranking company official working at the establishment, or
 - His or her supervisor
- Must post for 3-month period from February 1 to April 30 of the year following the year covered by the summary.
- (Ex: 2020 data must remain posted from February 1 through April 30, 2021)




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1904.33 – Retention and Updating

- Retain forms for 5 years following the year that they cover.
- Update the OSHA Form 300 during that period.
 - Newly discovered recordable injuries or illnesses.
 - Any changes that have occurred in the classification of previously recorded injuries and illnesses.
 - If the description or outcome of a case changes, you must remove or line out the original entry and enter the new information.
- Need not update the OSHA Form 300A or OSHA Form 301.




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1904.35 – Employee Involvement

- Must set up a way for employees to report work-related injuries and illnesses promptly; and
- Must tell each employee how to report work-related injuries and illnesses to you.
- Must provide limited access to your injury and illness records for your employees and their representatives.




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**Subpart E - 1904.39 –
Fatality/Catastrophe Reporting**

- 1) Within eight (8) hours after the death of any employee as a result of a work-related incident, you must report the fatality to the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.
- 2) Within twenty-four (24) hours after the in-patient hospitalization of one or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, you must report the in-patient hospitalization, amputation, or loss of an eye to OSHA.


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**1904.39(a) –
Fatality/Catastrophe Reporting**

- 3) You must report the fatality, in-patient hospitalization, amputation, or loss of an eye using one of the following methods:
 - i. By telephone or in person to the OSHA Area Office that is nearest to the site of the incident.
 - ii. By telephone to the OSHA toll-free central telephone number, 1-800-321-OSHA (1-800-321-6742).
 - iii. By electronic submission using the reporting application located on OSHA's public Web site at www.osha.gov.

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Calculating Incident Rates

**OSHA Frequency & Severity Rates
and what they tell you:**

- Frequency Rate- # of accidents per 100 employees.
- Severity Rate- # of lost workdays per 100 employees.


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Why Calculate Them?

- Compare your accident prevention progress
- Benchmark against others in your industry





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What Do You Need?

- Average number of employees
- Total employee hours worked
- NAICS Code
- EIN (Tax ID #) (requested as of 2020)
- OSHA Log
- Calculator






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The Formula

$$\frac{\text{(Cases X 200,000)}}{\text{Total Employee Hours Worked}}$$

The 200,000 represents a rate equivalent to 100 fulltime employees






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Total Recordable Incident Rate (TRIR)

TRIR (a.k.a. *Total Cases Incident Rate (TCIR)*) – the number of recordable incident that a company experiences per 100 full-time employees in any given time frame.

$$\text{TRIR} = \frac{\text{Number of OSHA Recordable Cases} \times 200,000}{\text{Number of Employee labor hours worked}}$$
 (Frequency)

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Total Recordable Incident Rate (TRIR)


For example...

A company has an average of 17 full-time employees. These 17 employees worked a total of 35,360 labor hours.

If the company experienced 2 recordable injuries, then the formula works like this:

$$\text{TRIR} = \frac{2 \times 200,000}{35,360} = \frac{400,000}{35,360} = 11.3$$

For every 100 employees, 11.3 employees have been involved in a recordable injury or illness.

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Benchmarking Sample

2018 Bureau of Labor and Statistics Incident Rates for 321999 – All Other Miscellaneous Wood Product Manufacturing

	<u>MN BLS</u>	<u>National BLS</u>
Total Recordable Cases	6.4	7.8
Lost Work Day (LWD) Cases (aka DAWC)	1.2	2.7
Job Transfer/Restrict	2.1	1.3
Other Recordable	3.1	3.8

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Other Rates

- LWDR – Loss Work Day Injury Rate
(# of Lost Work Days X 200,000) / Employee Hours Worked

- DART – Days Away, Restricted, Transfer Rate
(# of Days ART X 200,000) / Employee Hours Worked

(Severity)





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Other Rates

- Cost per employee hour
- Rates per internal variables
- Fleet accidents per million miles
- Claims per revenues/profit margin





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Benchmark Resources

- NAICS – <https://www.naics.com/search/>
- Federal BLS - <http://www.bls.gov/iif/home.htm#tables>
- MN BLS - <https://www.bls.gov/iif/oshstate.htm>



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Injury Tracking Application (ITA)

Confirm Submission of 300A Data for 1 Establishment(s)

IMPORTANT: Before submitting data to OSHA, be sure to review it for accuracy.

PUNISHMENT FOR UNLAWFUL STATEMENTS

It is unlawful to make any false statement, representation, or certification to an agency of the United States. Violations can be punished by a fine or by imprisonment of not more than five years, or by both. See 18 U.S.C. 1001(a); 29 U.S.C. 656(g).

By checking this box, I certify that the information I have entered is true and correct to the best of my knowledge and belief.

[Cancel](#)
[Submit 300A Data](#)

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Injury Tracking Application (ITA)

UNITED STATES DEPARTMENT OF LABOR

Occupational Safety and Health Administration

OSHA | STANDARDS | TOPICS | HELP AND RESOURCES |

Establishment List / View Establishment

On 1/28/2020 at 1:16:33 PM, you successfully submitted this establishment to OSHA.

An email confirmation will be sent shortly.

Establishment Details: Example Company	
ID: XXXXXXXX	NAICS: XXXXXX
EIN: XXXXXXXX	Size: 20-99 employees
Company: Example Company	Governance:
Address:	300A Status: Submitted

300A Submission Progress

1. Create an Establishment
 2. Add 300A Summary Data
 3. Submit Data to OSHA
 4. Receive Confirmation Email

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Document your Submission

- Make sure you can access your ITA submission if you are ever asked to produce this data in the future.



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Benchmark Resources

- NAICS – <https://www.naics.com/search/>
- Federal BLS - <http://www.bls.gov/iif/home.htm#tables>
- MN BLS - <https://www.bls.gov/iif/oshstate.htm>

COVID-19 Recordkeeping Enforcement Guidance


- <https://www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-19>




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Questions?



Thank you for attending!



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North Risk Partners Value-Added Services Hotline

(888) 667-4135

Call the hotline to get personalized advice from HR and safety professionals on a variety of topics, including state and federal compliance, employer best practices, workplace programs and more.

*You may also reach Integrated Loss Control by emailing safety@northriskpartners.com



"A System Approach to Loss Control"



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