

U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION RECORDKEEPING REQUIREMENTS (OSHA FORM 200)

SUMMARY

There are many recordkeeping requirements placed upon tooling and machining companies. Sometimes overlooked or little known requirements fall by the wayside. These requirements can bring large OSHA fines depending on the degree of non-compliance.

BACKGROUND

OSHA requires all employers to maintain records of all workplace illnesses and injuries. OSHA form 200 is the form required for all companies with more than 10 employees. Employers with less than 10 employees are required to maintain the same information, however, the OSHA 200 form is NOT required in this case.

NTMA recommends you use the OSHA form 200 as a precaution. When your company employs over 10 people, not realizing the OSHA form 200 must be used, it can be a costly oversight.

RECORDING INJURIES AND ILLNESSES

All injuries and illnesses must be recorded no later than six working days after the accident. OSHA form 200 is the form used to record these accidents. The accidents must be recorded for all illnesses or injuries regardless of the severity, except for injuries that can be treated from the first aid kit, i.e. cuts, scratches, scrapes, minor burns, etc. In addition to the OSHA form 200, an OSHA form 101 must be completed for each incident. This form details the injury or illness, lists the cause and precautions or measures to prevent a reoccurrence.

FATALITIES AND HOSPITALIZATIONS

Fatalities of one or more employees, and hospitalizations of more than 5 employees from the same incident must be reported within 48 hours to the nearest OSHA area office, or to the U.S. Department of Labor. The report can be oral or in writing. Fatalities, regardless of the time between the fatality and the incident or the length of the illness must be reported.

The report must include an accident description and the number injured, killed or hospitalized. (NOTE: Depending on the accident, one or more of the above could be present. Be sure to detail the incident for the recording office.)

LOST WORKDAYS

Lost workdays are complete days of absence from the workplace. The day of the occurrence is NOT counted in the number of lost workdays for an incident. If an incident occurs in the evening of a workday or on a Friday, and the worker returns to normal duties the immediate following workday, no lost workdays are reported.

NO LOST WORKDAYS

Injuries and illnesses with no lost workdays are reportable as such. These include job re-assignment, medical treatment for an injury or illness, and loss of consciousness.

CITATIONS

OSHA can issue a citation for lack of an OSHA 200 log or equivalent. The equivalent log must contain the same information as the OSHA 200 log. Variances are permitted, however, must be applied for and approved by OSHA prior to use. Companies with less than 10 employees are not required to use the OSHA 200 log, however, they must maintain the same type of records for illnesses and injuries. Citations will also be issued for missing years. If a company has less than 10 employees during part of a calendar year, and at year end has more than 10 employees, the employer is required to fill out the OSHA form 200. Records kept on site must be updated

within 45 calendar days. The records at the host location must be accurate within the six working day interval. In summary, citations will be issued for lack of logs, out-of-date logs, and incomplete logs.

FALSIFICATION

Falsification of OSHA logs are punishable by a \$10,000 fine and/or six months in jail.

SALE OF THE COMPANY

The previous owner is required to file the OSHA form 200 for the period of ownership. The new owner is required to file the remaining period, and maintain a record of the last five years.

POSTING

OSHA requires posting of the OSHA 200 form from the previous calendar year during the month of February. Copies of the form must be provided to any current or former employee, or the employees representative upon request within a reasonable period of time. In any year that no injuries or illnesses occur, the OSHA 200 form will be posted with zeros in the total columns. Temporary employees or employees that do not report to a specific permanent location must be supplied a copy of this form with their paychecks in the month of February. Companies must provide the Bureau of Labor Statistics with the information when they receive written notification that they are to take part in a statistical survey.

INSPECTION RECORDS

In California, employers are required to keep records of their scheduled, periodic safety and health inspections. These records must:

- Include the names of inspectors;
- Describe any hazards identified;
- Describe any action taken to eliminate the hazards; and, be kept on file for at least three years. Companies with less than ten employees need to keep inspection records only until any identified hazards have been corrected.

TRAINING RECORDS

- Records must be kept of each employee's safety & health training. Individual training records must be identified by the employee's name or other identifier (payroll number, etc.).
- Individual training records must include the dates of training; training topics; and, training providers (instructors & training aids used).
- Individual training records must be kept on file for three years.

EXCEPTIONS:

- Records need not be maintained for workers who are employed for less than one year, as long as the records are given to the employee at termination.

NTMA recommends that all employee training records be documented and kept for three years to provide proof in defense of disputes. NTMA recommends use of an employee training log form similar to the sample in BMA TC34, "Workplace Injury & Illness Prevention Program". Federal OSHA rules require written training outlines and keeping employee training records for training in the chemical hazard communications and lockout/tagout procedures, and California requires records of all employee safety training. The training log can be used to record all employee training, not just for safety & health subjects. Initial safety orientation training should be the first entry on these forms for new employees. (It is recommended that all training be documented and have employees sign stating that they have received the specified training.

Key Components of training are:

- Hazard Communication
- Lockout/tagout
- Machine Guarding
- Electrical Safety
- Fire Safety and Evacuation
- Confined Space Entry

This BMA was prepared by NTMA's Technical Department.