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OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Recordkeeping Rules — Effective July 1, 1971

New regulations to implement the recordkeeping and reporting obligations of employers covered by the Occupational Safety and Health Act of 1970 have been established by the U.S. Departments of Labor and Health, Education and Welfare.

The new regulations are necessary to enforce the Act. They will also be used to develop information on the causes and prevention of on-the-job accidents and for accumulating statistical data on occupational safety and health matters.

Three official forms are designated for the recordkeeping purposes. The official forms, instructions and information needed to maintain the required records are being mailed to all covered employers. Employers with more than one location should obtain additional copies of the booklet for each location. Booklets may be obtained on request to the Regional Office, Occupational Safety and Health Administration, John F. Kennedy Federal Building, Government Center 1700C, Boston, Massachusetts 02203; or, U.S. Department of Labor, 450 Main Street, Hartford, Connecticut 06103.

Log of Occupational Injuries and Illnesses

Each employer subject to the law must maintain in each establishment a log of occupational injuries and illnesses. Each employer must record on the log each recordable occupational injury or illness within two working days after receiving information that it has occurred.

Occupational Safety and Health Administration Form OSHA No. 100 must be used for this purpose, unless the employer is specifically exempt in the manner described below under "Recordkeeping Exceptions" and allowed to maintain an equivalent log.

Logs must be kept on a calendar year basis with the initial log recording the required occupational injuries and illnesses occurring *on and after July 1, 1971*. Required entries must be made directly in the official log — OSHA Form 100 or another equivalent form if specifically allowed in the manner described below under "Recordkeeping Exceptions" — on and after August 2, 1971. It is expected that the OSHA Form will be available to subject employers on this date.

Employers may use the "Supplementary Record of Occupational Injuries and Illnessess" as described below for the purpose of recording log-type information that later must be transferred to the official log — OSHA Form 100 or its specifically permitted equivalent if an employer has obtained permission to use another method of log recordkeeping as outlined below under "Recordkeeping Exceptions."

For purposes of the regulations "establishment" means: A single physical location where business is conducted or where services or industrial operations are performed. (For example: a factory, store, hotel, restaurant, movie theater, farm, bank, sales office, warehouse, or central administrative office.) Where distinctly separate activities are performed at a single physical location (such as contract construction activities operated from the same physical location as a lumber yard), each activity shall be treated as a separate establishment.

For firms engaged in activities such as agriculture, construction, transportation, communications, and electric, gas and sanitary services, which may be physically dispersed, records may be maintained at a place to which employees report each day. Records for personnel who do not primarily report or work at a single establishment, such as traveling salesmen, technicians, engineers, etc., shall be maintained at the location from which they are paid or the base from which personnel operate to carry out their activities.

Also for purposes of the regulations "recordable occupational injuries or illnesses" means: Any occupational injuries or illnesses which result in (1) fatalities, regardless of the time between the injury and death, or the length of the illness; or (2) lost workday cases, other than fatalities, that result in lost workdays; or (3) nonfatal cases without lost workdays which result in transfer to another job or termination of employment, or require medical treatment (other than first aid) or involve loss of consciousness or restriction of work or motion. This third category also includes any diagnosed occupational illnesses which are reported to the employer but are not classified as fatalities or lost workday cases.

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HIGHLIGHTS OF NEW RULES

- Log of Occupational Injuries and Illnesses
- Supplementary Record of Occupational Injuries and Illnesses
- Annual Summary of Occupational Injuries and Illnesses
- Temporary Rules for Interim Recordkeeping Pending Availability of Official Forms
- 48-Hour Reporting of Accidents Resulting in Fatalities or Hospitalization of Employees
- Retention of Records
- Penalties for Violations of Recordkeeping or Reporting Obligations

SAFETY AND HEALTH ACT

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Supplementary Record of Occupational Injuries and Illnesses

Each employer must also keep in each establishment a supplementary record of occupational injuries and illnesses in which to enter the recordable items in greater detail than that required on the log. *Occupational Safety and Health Administration Form OSHA No. 101* must be used for this purpose. *However, workmen's compensation, insurance or other reports may be used in lieu of this official form IF they contain the information required by Form OSHA No. 101.* The supplementary record of recordable injuries or illnesses must be maintained beginning *July 1, 1971.*

As pointed out above, the Supplementary Record of Occupational Injuries and Illnesses — OSHA Form 101 or other acceptable workmen's compensation, insurance or other reports being used in lieu of OSHA Form 101 — in addition to their intended purpose, may also be used to record log-type information. If they were so used, such information must thereafter be transferred to the actual log as soon as possible.

Annual Summary and Posting of Summary

Each subject employer must compile an Annual Summary of Occupational Injuries and Illnesses on the official form, *Occupational Safety and Health Administration Form OSHA 102*, no later than one month after the close of the calendar year, including calendar year 1971. The summary must be maintained at each establishment.

Each employer must post a copy of the summary in a conspicuous place where notices to employees are customarily posted and insure that the summary so posted is not altered, defaced or covered by other material.

Retention of Records — Access to Records

The Log of Occupational Injuries and Illnesses, the Supplementary Record of Occupational Injuries and Illnesses and the Summary of Occupational Injuries and Illnesses must be retained in each establishment for five years following the end of the year to which they relate.

Reporting of Fatal or Multiple Hospitalization Accidents

Within 48 hours of an on-the-job accident that results in a fatality to one or more employees or causes the hospitalization of five or more employees, the employer must report the accident either orally or in writing to the Area Director of the Occupational Safety and Health Administration, Room 617-B, 450 Main Street, Hartford, Connecticut 06103. The report may be made by telephone or telegraph and must relate the detail of the accident.

Penalties for Recordkeeping Violations

Entries in the Log of Occupational Injuries and Illnesses must be signed or initialed by the official or employee responsible for the accuracy of the entry. The Act subjects any person who fails to maintain records or file reports in the manner required to the issuance of citations and the assessment of penalties. The Act also punishes any person who knowingly falsifies any record or document required to be filed or maintained.

BRISTOL JOB PROGRAM ANNOUNCED



Commissioner Jack A. Fusari and Bristol Mayor Harwood Norton announced a joint effort of the State Labor Department and the Bristol community to develop new job opportunities through retraining for the unemployed in the Bristol area.

Area employers have received survey questionnaires to determine the manpower needs of the area. This first phase of the cooperative effort will take an inventory of projected requirements for skilled personnel in the Bristol area. With this information retraining courses will be initiated for the unemployed with Manpower and Development Training Act (MDTA) funds available for this purpose.

Commissioner Fusari and Mayor Norton emphasized that through this survey, a requirement of the Cooperative Area Manpower Planning System and the MDTA, training programs can be tailored to fit existing and potential job opportunities.

Co-sponsoring the survey of manpower and training needs with the Connecticut Labor Department and the City of Bristol is the Bristol Chamber of Commerce.

Pictured above are (left to right): A. Leroy Anderson, secretary of the Bristol Chamber of Commerce; Frank Hart of the UAW New Britain CAP Council; Labor Commissioner Jack A. Fusari; Bristol Mayor J. Harwood Norton, Jr., and Terry Fletcher of the Chamber Manpower Training Committee.