

OSHA expands requirements for online data submission

The Occupational Safety and Health Administration (OSHA) recently announced it will now be requiring certain employers to submit information from their OSHA 301 - Injury and Illness Incident Report forms on an annual basis. This is in addition to the previously required information from the employer's 300A Summary of Work-related Injuries and Illnesses form. The new information must be reported on-line by establishments with 100 or more employees in any of the designated high hazard industries listed in Appendix B to Subpart E of 29 CFR 1904.

Employers can determine if this new requirement is applicable by going to OSHA's "ITA Coverage Application" at <https://www.osha.gov/itareportapp> and entering the following:

- 1) State where the facility is located.
- 2) If the company had 11 or more employees during the previous year.
- 3) Peak establishment employment for the previous year.
- 4) Whether or not the establishment is a government facility.
- 5) NAICS code.

A complete list of all the high hazard industries included in this new rulemaking can be found here - <https://www.osha.gov/injuryreporting/final-rule> Examples include:

- Steel Product Manufacturing
- Foundries, Forging and Stamping
- Machine Shops
- Motor Vehicle Parts Manufacturing
- Lumber and Other Construction Materials Merchant Wholesalers
- Home Furnishings Stores
- Building Material and Supplies Dealers
- Warehousing and Storage
- Healthcare
- Nursing Care Facilities
- Residential Care Facilities
- Vocational Rehabilitation Services

OSHA believes providing this information will help identify establishments with specific hazards, enabling the agency to interact through outreach programs and/or enforcement. They further believe the information will allow OSHA a better way to analyze injury trends related to specific industries with the goal of reducing occupational injuries and illnesses in the workplace.

Employers can start submitting information on January 2, 2024 but must have it entered by March 2, 2024 for the 2023 calendar year. Required information from the OSHA 301 Form includes the date of injury, physical location, severity of the injury or illness, details about the worker who was injured, details about how the injury or illness occurred, etc. There are three ways the information can be submitted electronically to OSHA:

- 1) Webform on the Injury Tracking Application (ITA);

- 2) Submission of a CSV file to the ITA;
- 3) Use of an Application Programming Interface (API) feed.

The new guideline still requires all establishments with 250 or more employees in industries that must routinely keep records to submit the OSHA Form 300A Annual Summary. All establishments required to submit information from their OSHA 300 Log and OSHA 301 Incident Report to OSHA under this rule are already required to collect and retain this information and are currently required to electronically submit to OSHA information from their OSHA Form 300A Annual Summary.

For more information on the electronic submission go to OSHA's Injury Tracking App at <https://www.osha.gov/injuryreporting/> and scroll down to "How do I submit my establishment data?"

To download the OSHA Fact Sheet on the new requirements, go to https://www.osha.gov/sites/default/files/publications/OSHA_FS-4272_ITA_07-2023.pdf.

If you have any further questions or comments about OSHA's new recordkeeping requirements, please contact Andy Sawan at 330.819.4728 or by email andrew.sawan@sedgwick.com.