

Recordable vs. Reportable Incidents

(June 2011 Bright Ideas Column)

The Occupational Safety and Health Administration (OSHA) and the WI Department of Commerce as well as WI Department of Workforce Development were put into place to improve worker safety and to protect employees in the workplace. All employers within the US are required to comply with State and/or Federal standards and regulations to maintain records of injuries, illnesses, or fatalities in the workplace. These record-keeping and reporting requirements are covered by WI Comm 32.10, DWD 80, and OSHA standard 1904.

What Constitutes a Recordable Incident?

Recordable

An employer must keep a record of any new injury or illness suffered on the job by an employee. An injury or illness is defined to be any incident that results in a fatality, loss of consciousness or medical treatment beyond basic first aid, (e.g. minor injuries, such as scrapes, cuts, bruises and burns that require extensive medical care) as well as an incident where the employee is diagnosed by a health professional, takes time off from work to recover or is restricted in their performance is also defined as a recordable injury or illness. Recordable incidents must be listed in the employer's safety files, and be kept on-site unless they are requested by a State Compliance Officer.

Considerations

While not every injury or illness is recordable, there are certain situations in which an accident must always be recorded. Any time an employee suffered a cut or poke by a needle or potentially contaminated object, or the employee has any hearing tests that show work-related hearing loss or deafness, or of any positive tuberculosis test result, or any incident where the worker experiences a musculoskeletal disorder must be recorded. All of these instances require reporting, even when the incident does not meet the recording guidelines.

Function

Record-keeping standards help employers and employees. They can provide statistics and records of safety issues to help employers prevent accidents. Based on recording trends, the employer can correct any problem areas or safety hazards, then create more effective safety training programs. A record of employee illnesses and injuries may also keep workers more aware of potential safety risks. This helps to encourage adherence to company safety programs and use of personal protective equipment, such as hard hats and safety glasses.

Forms

Employers must use approved forms to meet incident recording requirements. When an employee suffers an injury or illness, the employer fills out a First Report of Injury, which includes details about the employee and the accident. Form 300 is used to maintain a list of all incidents recorded, while the First Report of Injury allows employers to create an annual summary of all incidents. All of these forms must be held on file for five years and can be reviewed at anytime by State or Federal compliance personnel. Both forms must be updated if any information changes, though annual summaries do not require such updates. Wisconsin Comm 32.10 Injury and illness report states that "Pursuant to s. 101.055 (7) (a), Stats., each employer shall report work-related injuries and illnesses to the department for the previous year by March 1 of each year. The report shall be made on form SBD-10710 or equivalent."

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Reportable incidents, more serious injuries, include any worker fatality or the in-patient hospitalization of three or more employees within an eight-hour period related to the job must be reported to the DWD Workers' Compensation Division, Madison Office, directly in-person or by phone (608-266-1340*) within 24 hours of the incident of occurrence. *TIP – Program this number into your phone, hopefully you'll never need to use it.

Hospitalization

Several employees at the same business may experience an illness or similar injuries because of a chemical spill, toxic gas or other problem. When at least three employees from the same company are affected by the same issue and are admitted to the hospital for treatment, the company is **required to report** the incident to DWD. However, if less than three people are admitted to the hospital because of an incident, the company must only record it in its files to show if an investigation takes place.

Death

If any employee dies because of an accident that happened on the job, whether it's immediate or occurs later as a direct result of the accident, the employer must report the incident. DWD 80.02 (1) of the Wisconsin Administrative Code provides that an employer covered by ch. 102, Stats., shall within one (1) day after the death of an employee due to a compensable injury to report the death to the Workers Compensation Division and to the employer's workers' compensation Insurance Carrier by telegraph, telephone, letter, facsimile transmission or other means on a case-by-case basis as communication technologies change.

Injuries

For an injury to be reportable to DWD, it must be considered major enough that it affects the employee's ability to do his job. Any loss of consciousness automatically requires reporting to DWD. The employee must also work directly for the company and be present because he's working. If independent contractors or employees present at the worksite for personal reasons are injured, they're considered customer-related and thus aren't reportable.

To learn more on this topic, click on these links:

- Top 10 OSHA 300 Log Mistakes:
<http://www.cpsafety.net/2011/01/01/top-ten-mistakes-made-when-completing-osa-300-log/>
- WI Department of Workforce Development Training – Employers Reporting Requirements:
http://dwd.wisconsin.gov/wc/insurance/training/employers_rept.htm .
- WI Department of Workforce Development – Chapter 80, Workers' Compensation
<http://legis.wisconsin.gov/rsb/code/dwd/dwd080.pdf>
- WI State Statute – 102 Workers' Compensation:
<http://legis.wisconsin.gov/statutes/Stat0102.pdf>