**OSHA Injury and Illness Recordkeeping and Reporting Requirements**

Last year, the federal Occupational Safety and Health Administration (OSHA) amended its recordkeeping rules related to workplace injuries and illnesses to require employers keeping those records to submit information to OSHA electronically. OSHA, in turn, will post that information on its public website. OSHA has extended the deadline for employers to submit their electronic injury and illness reports (from OSHA Form 300A) through the new [Injury Tracking Application](http://links.govdelivery.com:80/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTcxMTIyLjgxMzEzODUxJm1lc3NhZ2VpZD1NREItUFJELUJVTC0yMDE3MTEyMi44MTMxMzg1MSZkYXRhYmFzZWlkPTEwMDEmc2VyaWFsPTE3NDY5NzczJmVtYWlsaWQ9YmFzaGVwbGVyQHZvcnlzLmNvbSZ1c2VyaWQ9YmFzaGVwbGVyQHZvcnlzLmNvbSZmbD0mZXh0cmE9TXVsdGl2YXJpYXRlSWQ9JiYm&&&101&&&https://www.osha.gov/injuryreporting/index.html) to December 15, 2017.

**Who is covered**

“Establishments” with more than 250 employees that are currently required to keep OSHA injury and illness records, and establishments with 20 to 249 employees that are classified in industries with historically high rates of occupational injuries and illnesses, are covered by the new OSHA electronic injury reporting requirement. An “establishment” is a single physical location where business is conducted or where services or industrial operations are performed.

For OPRA members, for example, this means that the number of employees working at a residential facility would be counted to determine whether that facility falls within the 250+ or 20 to 249-employee thresholds. Thus, a provider with several residential facilities that together employ 30 employees, but where no single facility employs 20 or more employees, would not be considered an “establishment” that must report.

Relevant to OPRA members, OSHA has designated the following industries as being covered by the reporting requirement: residential mental retardation, mental health, and substance abuse facilities; nursing care facilities; community care facilities for the elderly, other residential care facilities; and vocational rehabilitation services. Therefore, OPRA members who fall into one or more of these broad categories, and have location(s) with at least 20 employees, must submit one or more of the reports described below for each such location.

**What must be reported**

Establishments with 250 or more employees must electronically submit information from OSHA Forms 300 (Log of Work-Related Injuries and Illnesses), 300A (Summary of Work-Related Injuries and Illnesses), and 301 (Injury and Illness Incident Report).

Covered establishments with 20-249 employees must electronically submit information only from OSHA Form 300A. Most OPRA members will fall into this category and so must only electronically report Form 300A.

**When must the information be reported**

###### All covered establishments (which would include OPRA members with 20 or more employees at an establishment) must submit information from their completed 2016 Form 300A by December 15, 2017. Thereafter:

###### Covered establishments with 250 or more employees must submit information from all completed 2017 forms (300A, 300, and 301) by July 1, 2018

###### Covered establishments with 20-249 employees must submit information from their completed 2017 Form 300A by July 1, 2018.

###### Beginning in 2019 and every year thereafter, covered establishments must submit the information by March 2.

###### OPRA members are reminded that, as a member benefit of OPRA, each member is entitled to two free hours of legal services from the law firm of Vorys, Sater, Seymour and Pease, LLP on an annual basis. Please contact Suzanne Scrutton, Partner at Vorys, at 614.464.8313 or [sjscrutton@vorys.com](mailto:sjscrutton@vorys.com).

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