OSHA released its final rule for Occupational Injury and Illness Recording and Reporting Requirements on September 18, 2014. The rule will become effective on January 1, 2015, for Federal Plan States. State Plan States will announce their dates independently, but are encouraged to meet the same deadline. (Find out more about State Plan States here.)

The final rule expands the list of injuries that must be reported to OSHA and revises the requirements for when an employer must report work-related hospitalizations. The final rule also provides additional avenues for how to report to OSHA and more clearly identifies the information that must be reported to OSHA.

Under the final rule, all employers, including all nursing home facilities and assisted living facilities are required to report all fatalities, inpatient hospitalizations, amputations, and losses of an eye as described below.

- All work-related fatalities must be reported within eight hours of the death or knowledge of the event. Only fatalities that occur within 30 days of the work incident are reportable to OSHA.

- All work-related inpatient hospitalizations that require care and treatment of a single employee, all amputations, and all losses of an eye must be reported within 24 hours. Only inpatient hospitalizations, amputations, and eye losses that occur within 24 hours of the work incident are reportable to OSHA. Inpatient hospitalization is defined as a formal admission to the in-patient service of a hospital or clinic for care or treatment. Inpatient hospitalization for observation or diagnostic testing only does not need to be reported to OSHA.

- All work-related fatalities or inpatient hospitalizations caused by a heart attack must be reported to OSHA. Heart attacks of workers where there is no indication that the work environment either caused, contributed to or significantly aggravated a pre-existing condition (e.g., sedentary workers who were not engaged in strenuous activities) may not be considered work related. To determine whether the heart attack is work-related, an employer must evaluate the employee’s work duties and work environment to decide whether or not the work environment either caused or contributed to or significantly aggravated a pre-existing condition.

- Fatalities, hospitalizations, amputations, and eye losses stemming from motor vehicle accidents that occur on a public street or highway (and not in a construction work zone) or on commercial or public transportation do not need to be reported to OSHA, but must be recorded on the OSHA 300 Logs.

Employers must report the work-related fatality, inpatient hospitalization, amputation, or eye loss by:
• Calling OSHA’s confidential number (1-800-321-OSHA)
• Contacting the local OSHA Area Office via telephone or in person
• Electronic submission using OSHA’s (not-yet-available) web portal

Employers may not leave a message on OSHA’s answering machine, or send a fax or email to the OSHA Area Office. If the local OSHA Area Office is closed, employers must either call the confidential 800 number or use the web portal when available.

When making a report to OSHA, employers must provide the following information:

• The establishment name;
• The location of the work-related incident;
• The time of the work-related incident;
• The type of reportable event (i.e., fatality, hospitalization, amputation, or loss of an eye);
• The contact person and phone number; and
• A brief description of the work-related incident.