OSHA's e-Reporting Revisions: What's Changing?

OSHA posted an advanced showing of its Tracking of Workplace Injuries and Illnesses proposed rule, the promised revisions to its e-Reporting requirements.

OSHA plans to remove the requirement for establishments with 250 or more employees to electronically submit information from the OSHA 300 Log and the 301 Incident Reports. Although the original e-Reporting rule called for this information, the Agency told employers not to submit it last year.

According to OSHA, the amendment is necessary to protect sensitive worker information from potential disclosure under the Freedom of Information Act (FOIA). This risk of disclosure, and the costs to OSHA of collecting and using the information, along with the reporting burden on employers, makes requiring the submissions unjustified, especially when the benefits from the information collection are uncertain.

The Agency explains that the 300 Log and the 301 Incident Reports require employers to record sensitive information, including descriptions of injuries and the body parts affected. The 301 Forms, in particular, require information that should not be lightly disclosed, including:

- was the employee treated in an emergency room;
- was the employee hospitalized overnight as an in-patient;
- date of birth;
- date of injury; and
- specific details about the individual's activities at the time of the injury.

OSHA is also proposing to require covered employers to submit their Employer Identification Number (EIN) electronically along with their injury and illness data submission.

Interested parties will have a chance to comment on the rulemaking once it is published in the Federal Register.

What isn't changing? The e-reporting process that affected employers have been following since 2016 has not changed. Employers with 250 or more employees will still submit their 300-A Summary information electronically to OSHA by the reporting deadline. In 2018, the deadline was July 1. That date moves to March 2 in 2019.

Establishments with 20-249 employees in high-risk industries (with NAICS codes listed in Appendix A to Subpart E) will also continue to submit their 300-A Summary data to OSHA.

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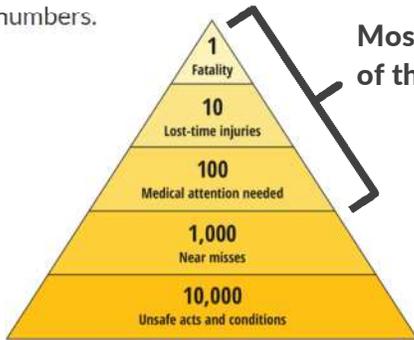
TWIA Board OK's Additional $106.8M Assessment

The Texas Windstorm Insurance Association (TWIA) board unanimously approved an additional Class 1 member assessment of $106.8 million for Hurricane Harvey losses, the Insurance Council of Texas (ICT) reported. The newly approved assessment follows the $175 million assessment OK'd by the TWIA board in May. TWIA staff estimates total losses from Hurricane Harvey at $1.61 billion. The association's board also approved a 10% rate increase for residential and commercial policyholders. The rate increase must be approved by the Texas Department of Insurance before it can go into effect.

The Accident Prevention Pyramid

Use the accident prevention pyramid in your safety training or toolbox meetings with your employees to create awareness of the accident prevention pyramid and steps which must be taken to address unsafe acts and conditions before they lead to incidents, severe injuries, and even fatalities.

Most accidents in the workplace involve both unsafe conditions, such as inadequate ventilation or improper storage of hazardous materials, **and unsafe actions**, such as bypassing controls or failing to wear personal protective equipment (PPE). Unsafe acts and conditions lead to progressively more serious injuries and even fatalities as you can see in the pyramid.

Organizations must work to eliminate both unsafe conditions and unsafe actions in order to bring down these other numbers.

Pyramid (top to bottom):
- 1 Fatality
- 10 Lost-time injuries
- 100 Medical attention needed
- 1,000 Near misses
- 10,000 Unsafe acts and conditions

Most employers only focus on incidents that result in top 3 sections of the pyramid: medical attention, lost time and fatalities.

Why is this case you may ask? Because there is a cost or time element that is associated with these types of incidents. Ask yourself, "When is the last time I had a manager/supervisor or even an employee mention a near miss to the organization or safety committee?"

If you start focusing on the near misses and unsafe actions, you will start changing the safety culture of your organization and the behaviors of your employees.

Addressing Unsafe Conditions:

- Unsafe conditions should be discovered by hazard assessments, including job hazard analyses (JHAs).
- Ideally, hazards should be completely eliminated or substituted with safer options. If this is not possible, hazards should be managed with engineering controls, administrative controls, and PPE (PPE should be considered as a last resort because this requires employee compliance with wearing the (PPE) personal protective equipment).
- Conditions should be monitored with regular inspections, audits, and safety observations.

Addressing Unsafe Actions:

- Organizations must coach and train employees in safe behaviors.
- Organizations must also develop a good safety culture by getting all employees and all levels of management involved in the safety program.
- Hold you supervisors and managers accountable for accidents and incidents that occur in their department.
- The organization must be very clear with safety priorities. Management and supervisors must lead by example and be held accountable when not following your companies policies and procedures
- Regular inspections, audits, and safety observations should also note employee behaviors and their understanding of safety procedures.
- Good safety behaviors should be rewarded and reinforced and bad safety behaviors must be counseled and disciplined.

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