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A recent issue of [ENR](#) caught my attention with its [cover story](#) about the personal safety records debate. The article and the viewpoints expressed in the Pro and Con discussions got me "musing" on the propriety of such a requirement.

On the one hand, such a personalized approach could lead to safer work places because the requirement may hit home. Workers required to keep such records and self report may very well heed [OSHA](#) warnings and employer safety requirements. On the other, would the reward from requiring employers to upgrade their safety programs, with the attendant cost, and hoping that OSHA could keep up with approximately 11 million of these reports outweigh the cost and administrative hassle that such reports would require?

As E. Collette Nelson of the [American Subcontractors Association](#) points out in the ENR article, contractors are interested in accurate safety information but balk at the thought of even more paperwork and potential privacy issues. Also, a big issue is what about injuries due to negligence of other trades or workers on a multi-employer job site (see a discussion of the unique nature of OSHA regulation of these sites [here](#)).

While statistics show that employee acts cause many accidents, I fall somewhere in the middle of the debate. I tend to agree with the position stated by Bradley Sant of the [American Road & Transportation Builders Association](#) who agrees that portable, personal safety records are a good idea, but more bureaucracy is not the way to go. Employers, at least in Virginia, have the right to require such reporting with or without OSHA regulation. Requiring such reporting, at least on a basic level, may be a good idea for construction employers who want to keep their job sites from negative VOSH and OSHA [inspection](#) results.

In any event, consult with a knowledgeable [attorney](#) or [safety consultant](#) when drafting (or hopefully updating) your job site safety program.

Please check out my [Construction Law Musings Blog](#) for more on Virginia construction law and other topics.